United Nations

Resolutions and Decisions of the Security Council

1 August 2003 – 31 July 2004

Security Council
Official Records

S/INF/59

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NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2003 to 31 July 2004, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the period under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decisions.

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Membership of the Security Council in 2003 and 2004

In 2003 and 2004, the membership of the Security Council was as follows:

2003

Angola
Bulgaria
Cameroon
Chile
China
France
Germany
Guinea
Mexico
Pakistan
Russian Federation
Spain
Syrian Arab Republic
United Kingdom of Great Britain and Northern Ireland
United States of America

2004

Algeria
Angola
Benin
Brazil
Chile
China
France
Germany
Pakistan
Philippines
Romania
Russian Federation
Spain
United Kingdom of Great Britain and Northern Ireland
United States of America

Resolutions adopted and decisions taken by the Security Council from 1 August 2003 to 31 July 2004

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE SITUATION IN LIBERIA[1]

Decision

At its 4803rd meeting, on 1 August 2003, the Security Council considered the item entitled: "The situation in Liberia

> "Letter dated 29 July 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/769)".

Resolution 1497 (2003) of 1 August 2003

The Security Council,

Deeply concerned over the conflict in Liberia and its effects on the humanitarian situation, including the tragic loss of countless innocent lives, in that country, and its destabilizing effect on the region,

Stressing the need to create a secure environment that enables respect for human rights, including the well-being and rehabilitation of children, protects the well-being of civilians and supports the mission of humanitarian workers,

Reminding the parties of their obligations under the Liberian ceasefire agreement signed at Accra on 17 June 2003,[2]

Recalling that, in paragraph 4 of its resolution 1343 (2001) of 7 March 2001, the Council demanded that all States take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization on the borders between Guinea, Liberia and Sierra Leone,

Commending the Economic Community of West African States, in particular its Chairman, President John Kufuor of the Republic of Ghana, for its leadership role in facilitating the achievement of the aforementioned ceasefire agreement, and recognizing the critically important role it has played and necessarily will continue to play in the Liberia peace process, consistent with Chapter VIII of the Charter of the United Nations,

Commending also President Olusegun Obasanjo of the Federal Republic of Nigeria for his efforts to bring peace to Liberia,

Recalling the Secretary-General's request of 28 June 2003 to the Security Council to authorize the deployment of a multinational force to Liberia,[3]

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[1] Resolutions or decisions on this question have been adopted by the Security Council every year since 1991.

[2] Agreement on Ceasefire and Cessation of Hostilities between the Government of the Republic of Liberia and Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia (S/2003/657, annex).

[3] See S/2003/678, annex.

Determining that the situation in Liberia constitutes a threat to international peace and security, to stability in the West African subregion and to the peace process for Liberia,

Acting under Chapter VII of the Charter,

1. *Authorizes* Member States to establish a Multinational Force in Liberia to support the implementation of the ceasefire agreement of 17 June 2003,[2] including establishing conditions for initial stages of disarmament, demobilization and reintegration activities, to help to establish and maintain security in the period after the departure of the current President and the installation of a successor authority, taking into account the agreements to be reached by the Liberian parties, to secure the environment for the delivery of humanitarian assistance and to prepare for the introduction of a longer-term United Nations stabilization force to relieve the Multinational Force;

2. *Declares its readiness* to establish such a follow-on United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia, and requests the Secretary-General to submit to the Council recommendations on the size, structure and mandate of this force, preferably by 15 August 2003, and its subsequent deployment no later than 1 October 2003;

3. *Authorizes* the United Nations Mission in Sierra Leone to extend the necessary logistical support, for a limited period of up to thirty days, to the forward elements of the Economic Community of West African States in the Multinational Force, without prejudicing the operational capability of the Mission with respect to its mandate in Sierra Leone;

4. *Requests* the Secretary-General, pending a decision by the Security Council on the establishment of a United Nations peacekeeping operation in Liberia, to take the necessary steps, including the necessary logistical support to the elements of the Economic Community of West African States in the Multinational Force, and pre-positioning critical logistical and personnel requirements to facilitate the rapid deployment of the envisaged operation;

5. *Authorizes* the Member States participating in the Multinational Force to take all necessary measures to fulfil its mandate;

6. *Calls upon* Member States to contribute personnel, equipment and other resources to the Multinational Force, and stresses that the expenses of the Multinational Force will be borne by the participating Member States and other voluntary contributions;

7. *Decides* that current or former officials or personnel from a contributing State which is not a party to the Rome Statute of the International Criminal Court[4] shall be subject to the exclusive jurisdiction of that contributing State for all alleged acts or omissions arising out of or related to the Multinational Force or the United Nations stabilization force in Liberia, unless such exclusive jurisdiction has been expressly waived by that contributing State;

8. *Decides also* that the measures imposed by paragraphs 5 (*a*) and (*b*) of resolution 1343 (2001) shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for the support of and use by the Multinational Force;

9. *Demands* that all States in the region refrain from any action that might contribute to instability in Liberia or on the borders between Liberia, Guinea, Sierra Leone and Côte d'Ivoire;

10. *Calls upon* the Liberian parties to cooperate with the Joint Verification Team and Joint Monitoring Committee as established under the ceasefire agreement of 17 June 2003;

11. *Calls upon* all Liberian parties and Member States to cooperate fully with the Multinational Force in the execution of its mandate and to respect the security and freedom of

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[4] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

movement of the Multinational Force, as well as to ensure the safe and unimpeded access of international humanitarian personnel to populations in need in Liberia;

12. *Stresses* the urgent need for all Liberian parties who are signatories to the ceasefire agreement of 17 June 2003, in particular the leadership of Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia, immediately and scrupulously to uphold the ceasefire agreement, to cease using violent means and to agree as soon as possible to an all-inclusive political framework for a transitional government until such time when free and fair elections can be held, and notes that critical to this endeavour is the fulfilment of the commitment to depart from Liberia made by President Charles Taylor;

13. *Urges* Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia to refrain from any attempt to seize power by force, bearing in mind the position of the African Union on unconstitutional changes of government as stated in the 1999 Algiers Decision[5] and the 2000 Lomé Decision;[6]

14. *Decides* to review the implementation of the present resolution within thirty days of adoption to consider the report and recommendations of the Secretary-General called for in paragraph 2 above and further steps that might be necessary;

15. *Requests* that the Secretary-General, through his Special Representative, report to the Council periodically on the situation in Liberia in relation to the implementation of the present resolution, including information on implementation by the Multinational Force of its mandate;

16. *Decides* to remain actively seized of the matter.

Adopted at the 4803rd meeting
by 12 votes to none, with 3 abstentions
(France, Germany and Mexico).

Decisions

At its 4815th meeting, on 27 August 2003, the Security Council decided to invite the representatives of Côte d'Ivoire, Ghana, Nigeria and Senegal to participate, without vote, in the discussion of the item entitled "The situation in Liberia".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

> "The Security Council welcomes the briefing provided by representatives of the Economic Community of West African States, including Mr. Nana Akufo-Addo, Minister for Foreign Affairs of Ghana, Mr. Mamadou Bamba, Minister for Foreign Affairs of Côte d'Ivoire, Mr. François Fall, Minister for Foreign Affairs of Guinea, Mr. Oluyemi Adeniji, Minister for Foreign Affairs of Nigeria, Mr. Papa Louis Fall, Permanent Representative of Senegal to the United Nations, and Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States, on the Comprehensive Peace Agreement reached in Accra on 18 August 2003.[8]

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[5] A/54/424, annex II, decision AHG/Dec. 141 (XXXV).

[6] A/55/286, annex II, decision AHG/Dec. 150 (XXXVI).

[7] S/PRST/2003/14.

[8] See S/2003/850.

"The Council welcomes the Comprehensive Peace Agreement reached by the Government of Liberia, rebel groups, political parties and civil society leaders in Accra on 18 August 2003.

"The Council appreciates the efforts of the Economic Community of West African States, particularly those of Mr. John Kufuor, Chairman of that organization and President of the Republic of Ghana, Mr. Mohammed Ibn Chambas, Executive Secretary, and mediator General Abdulsalami Abubakar, in negotiating this agreement.

"The Council remains concerned at the situation in Liberia, particularly the continuing dire humanitarian situation of much of the population. It calls upon all parties to allow full, secure and unimpeded access for humanitarian agencies and personnel.

"The Council again stresses the need to create a secure environment that enables respect for human rights, including the well-being and rehabilitation of children, especially child combatants, protects the well-being of civilians and supports the mission of humanitarian workers.

"The Council pays tribute to the donors that are supporting the deployment of the Economic Community of West African States' Mission in Liberia, encourages all Member States to provide financial, logistical and material support to the Member States participating in the force led by the Economic Community of West African States, and calls upon the donor community to provide urgent humanitarian assistance to those in need in Liberia.

"The Council urges all parties to respect fully the ceasefire and to implement fully all their commitments under the Comprehensive Peace Agreement signed at Accra on 18 August 2003, including through full cooperation with the Economic Community of West African States' Mission in Liberia, the United Nations, the International Contact Group on Liberia, the African Union and the United States of America to establish a Joint Monitoring Committee, which is a critical aspect of the Liberian peace process, as required under the Accra agreement.

"The Council reaffirms its readiness, as stated in paragraph 2 of its resolution 1497 (2003) of 1 August 2003, to establish a follow-on United Nations stabilization force to support the transitional government and to assist in the implementation of a comprehensive peace agreement for Liberia."

At its 4816th meeting, held in private on 27 August 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4816th meeting, held in private on 27 August 2003, the Security Council considered the item entitled 'The situation in Liberia'.

"In accordance with the decision taken at the 4815th meeting, the President of the Security Council, under rule 37 of the provisional rules of procedure of the Council, invited Mr. Nana Akufo-Addo, Minister for Foreign Affairs of Ghana and current Chairman of the Economic Community of West African States, Mr. Mamadou Bamba, Minister for Foreign Affairs of Côte d'Ivoire, Mr. Oluyemi Adeniji, Minister for Foreign Affairs of Nigeria, and Mr. Papa Louis Fall, Permanent Representative of Senegal to the United Nations, to participate in the discussion in the Council.

"The President also invited Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States, in accordance with rule 39 of the provisional rules of procedure of the Council.

"Members of the Council, members of the delegation of the Economic Community of West African States and the Executive Secretary of that organization had a constructive exchange of views."

At its 4826th meeting, on 16 September 2003, the Council considered the item entitled:

"The situation in Liberia

"Report of the Secretary-General to the Security Council on Liberia (S/2003/875)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jacques Paul Klein, Special Representative of the Secretary-General for Liberia.

At its 4830th meeting, on 19 September 2003, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Report of the Secretary-General to the Security Council on Liberia (S/2003/875)".

Resolution 1509 (2003)
of 19 September 2003

The Security Council,

Recalling its resolutions and the statements by its President on Liberia, including its resolution 1497 (2003) of 1 August 2003 and the statement by its President of 27 August 2003,[7] and other relevant resolutions and statements,

Expressing its utmost concern at the dire consequences of the prolonged conflict for the civilian population throughout Liberia, in particular the increase in the number of refugees and internally displaced persons,

Stressing the urgent need for substantial humanitarian assistance to the Liberian population,

Deploring all violations of human rights, particularly atrocities against civilian populations, including widespread sexual violence against women and children,

Expressing its deep concern at the limited access of humanitarian workers to populations in need, including refugees and internally displaced persons, and stressing the need for the continuation of the relief operations of the United Nations and other agencies, as well as the promotion and monitoring of human rights,

Emphasizing the need for all parties to safeguard the welfare and security of humanitarian workers and United Nations personnel in accordance with applicable rules and principles of international law, and recalling in this regard its resolution 1502 (2003) of 26 August 2003,

Mindful of the need for accountability for violations of international humanitarian law, and urging the transitional government, once established, to ensure that the protection of human rights and the establishment of a State based on the rule of law and of an independent judiciary are among its highest priorities,

Reiterating its support for the efforts of the Economic Community of West African States, particularly those of Mr. John Kufuor, Chairman of that organization and President of the Republic of Ghana, Mr. Mohammed Ibn Chambas, Executive Secretary, and mediator General Abdulsalami Abubakar, as well as those of President Olusegun Obasanjo of the Federal Republic of Nigeria, to bring peace to Liberia, and recognizing the critically important role that they continue to play in the Liberia peace process,

Welcoming the continued support of the African Union for the leadership role of the Economic Community of West African States in the peace process in Liberia, in particular the appointment of an African Union Special Envoy for Liberia, and further encouraging the African Union to continue to support the peace process through close collaboration and coordination with the Economic Community of West African States and the United Nations, *Commending* the rapid and professional deployment to Liberia of the forces of the Economic Community of West African States' Mission in Liberia, pursuant to Council resolution 1497 (2003), as well as Member States which have assisted the Economic Community of West African States in its efforts, and stressing the responsibilities of all parties to cooperate with Mission forces in Liberia,

Noting that lasting stability in Liberia will depend on peace in the subregion, and emphasizing the importance of cooperation among the countries of the subregion to this end, as well as the need for coordination of United Nations efforts to contribute to the consolidation of peace and security in the subregion,

Gravely concerned by the use of child soldiers by armed rebel militias, government forces and other militias,

Reaffirming its support, as set out in the statement by its President of 27 August 2003, for the Comprehensive Peace Agreement reached by the Government of Liberia, rebel groups, political parties and civil society leaders in Accra on 18 August 2003[8] and the Liberian ceasefire agreement signed at Accra on 17 June 2003,[2]

Reaffirming that the primary responsibility for implementing the Comprehensive Peace Agreement and the ceasefire agreement rests with the parties, and urging the parties to move forward with the implementation of those agreements immediately in order to ensure the peaceful formation of a transitional government by 14 October 2003,

Welcoming the resignation and departure from Liberia of former President Charles Taylor on 11 August 2003 and the peaceful transfer of power from Mr. Taylor,

Stressing the importance of the Joint Monitoring Committee, as provided for by the ceasefire agreement of 17 June 2003, to ensuring peace in Liberia, and urging all parties to establish this body as quickly as possible,

Recalling the framework for the establishment of a longer-term United Nations stabilization force to relieve the forces of the Economic Community of West African States' Mission in Liberia, as set out in resolution 1497 (2003),

Welcoming the report of the Secretary-General of 11 September 2003[9] and the recommendations contained therein,

Taking note of the intention of the Secretary-General to terminate the mandate of the United Nations Office in Liberia, as indicated in his letter dated 16 September 2003 addressed to the President of the Security Council,[10]

Taking note also of the intention of the Secretary-General to transfer the major functions performed by the United Nations Office in Liberia to the United Nations Mission in Liberia, together with staff of the Office, as appropriate,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region, to stability in the West African subregion and to the peace process for Liberia,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish the United Nations Mission in Liberia, the stabilization force called for in resolution 1497 (2003), for a period of twelve months, requests the Secretary-General to transfer authority from the forces of the Economic Community of West African States' Mission in Liberia led by the Economic Community of West African States to the United Nations Mission

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[9] S/2003/875.

[10] S/2003/899.

in Liberia on 1 October 2003, and decides that the Mission shall consist of up to 15,000 United Nations military personnel, including up to 250 military observers and 160 staff officers, and up to 1,115 civilian police officers, including formed units to assist in the maintenance of law and order throughout Liberia, and the appropriate civilian component;

2. *Welcomes* the appointment by the Secretary-General of his Special Representative for Liberia to direct the operations of the Mission and coordinate all United Nations activities in Liberia;

3. *Decides* that the Mission shall have the following mandate:

Support for implementation of the ceasefire agreement[2]

(*a*) To observe and monitor the implementation of the ceasefire agreement and investigate violations of the ceasefire;

(*b*) To establish and maintain continuous liaison with the field headquarters of military forces of all the parties;

(*c*) To assist in the development of cantonment sites and to provide security at these sites;

(*d*) To observe and monitor disengagement and cantonment of military forces of all the parties;

(*e*) To support the work of the Joint Monitoring Committee;

(*f*) To develop, as soon as possible, preferably within thirty days of the adoption of the present resolution, in cooperation with the Joint Monitoring Committee, relevant international financial institutions, international development organizations and donor nations, an action plan for the overall implementation of a disarmament, demobilization, reintegration and repatriation programme for all armed parties, with particular attention to the special needs of child combatants and women, and addressing the inclusion of non-Liberian combatants;

(*g*) To carry out voluntary disarmament and to collect and destroy weapons and ammunition as part of an organized disarmament, demobilization, reintegration and repatriation programme;

(*h*) To liaise with the Joint Monitoring Committee and to advise on the implementation of its functions under the Comprehensive Peace Agreement[8] and the ceasefire agreement;

(*i*) To provide security at key government installations, in particular ports, airports and other vital infrastructure;

Protection of United Nations staff, facilities and civilians

(*j*) To protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of its personnel and, without prejudice to the efforts of the government, to protect civilians under imminent threat of physical violence, within its capabilities;

Support for humanitarian and human rights assistance

(*k*) To facilitate the provision of humanitarian assistance, including by helping to establish the necessary security conditions;

(*l*) To contribute towards international efforts to promote and protect human rights in Liberia, with particular attention to vulnerable groups, including refugees, returning refugees and internally displaced persons, women, children and demobilized child soldiers, within its capabilities and under acceptable security conditions, in close cooperation with other United Nations agencies, related organizations, governmental organizations and non-governmental organizations;

(*m*) To ensure an adequate human rights presence, capacity and expertise within the Mission to carry out human rights promotion, protection and monitoring activities;

Support for security reform

(*n*) To assist the transitional government of Liberia in monitoring and restructuring the police force of Liberia, consistent with democratic policing, to develop a civilian police training programme and to assist otherwise in the training of civilian police, in cooperation with the Economic Community of West African States, international organizations and interested States;

(*o*) To assist the transitional government in the formation of a new and restructured Liberian military, in cooperation with the Economic Community of West African States, international organizations and interested States;

Support for implementation of the peace process

(*p*) To assist the transitional government, in conjunction with the Economic Community of West African States and other international partners, in the re-establishment of national authority throughout the country, including the establishment of a functioning administrative structure at both the national and the local levels;

(*q*) To assist the transitional government, in conjunction with the Economic Community of West African States and other international partners, in developing a strategy to consolidate governmental institutions, including a national legal framework and judicial and correctional institutions;

(*r*) To assist the transitional government in restoring proper administration of natural resources;

(*s*) To assist the transitional government, in conjunction with the Economic Community of West African States and other international partners, in preparing for national elections scheduled for no later than the end of 2005;

4. *Demands* that the Liberian parties cease hostilities throughout Liberia and fulfil their obligations under the Comprehensive Peace Agreement and the ceasefire agreement, including cooperation in the formation of the Joint Monitoring Committee as established under the ceasefire agreement;

5. *Calls upon* all parties to cooperate fully in the deployment and operations of the Mission, including by ensuring the safety, security and freedom of movement of United Nations personnel, together with associated personnel, throughout Liberia;

6. *Encourages* the Mission, within its capabilities and areas of deployment, to support the voluntary return of refugees and internally displaced persons;

7. *Requests* the Government of Liberia to conclude a status-of-forces agreement with the Secretary-General within thirty days of the adoption of the present resolution, and notes that, pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[11] shall apply provisionally;

8. *Calls upon* all parties to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

9. *Recognizes* the importance of the protection of children in armed conflict, in accordance with its resolution 1379 (2001) of 20 November 2001 and related resolutions;

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[11] A/45/594.

10. *Demands* that all parties cease all use of child soldiers and cease all human rights violations and atrocities against the Liberian population, and stresses the need to bring to justice those responsible;

11. *Reaffirms* the importance of a gender perspective in peacekeeping operations and post-conflict peace-building, in accordance with resolution 1325 (2000) of 31 October 2000, recalls the need to address violence against women and girls as a tool of warfare, and encourages the Mission as well as the Liberian parties actively to address these issues;

12. *Decides* that the measures imposed by paragraphs 5 (*a*) and (*b*) of resolution 1343 (2001) of 7 March 2001 shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for the support of or use by the Mission;

13. *Reiterates its demand* that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any actions that might contribute to further destabilization of the situation in the region, and declares its readiness to consider, if necessary, ways of promoting compliance with this demand;

14. *Calls upon* the transitional government to restore fully Liberia's relations with its neighbours and to normalize Liberia's relations with the international community;

15. *Calls upon* the international community to consider how it might help future economic development in Liberia aimed at achieving long-term stability in the country and improving the welfare of its people;

16. *Stresses* the need for an effective public information capacity, including the establishment, as necessary, of United Nations radio stations to promote understanding of the peace process and the role of the Mission among local communities and the parties;

17. *Calls upon* the Liberian parties to engage for the purpose of addressing the question of disarmament, demobilization, reintegration and repatriation on an urgent basis, and urges the parties, in particular the transitional government of Liberia, and the rebel groups Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia, to work closely with the Mission, the Joint Monitoring Committee, relevant assistance organizations and donor nations in the implementation of a disarmament, demobilization, reintegration and repatriation programme;

18. *Calls upon* the international donor community to provide assistance for the implementation of a disarmament, demobilization, reintegration and repatriation programme, and sustained international assistance to the peace process, and to contribute to consolidated humanitarian appeals;

19. *Requests* the Secretary-General to provide regular updates, including a formal report every ninety days to the Council, on the progress in the implementation of the Comprehensive Peace Agreement and the present resolution, including the implementation of the mandate of the Mission;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4830th meeting.

Decisions

On 1 October 2003, the President of the Security Council addressed the following letter to the Secretary-General:[12]

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[12] S/2003/927.

"I have the honour to inform you that your letter dated 29 September 2003 concerning your intention to appoint Lieutenant General Daniel Ishmael Opande, of Kenya, as Force Commander of the United Nations Mission in Liberia as of 1 October 2003[13] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4890th meeting, on 22 December 2003, the Council considered the item entitled:

"The situation in Liberia

"Letter dated 28 October 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council (S/2003/937 and Add.1)".

Resolution 1521 (2003)
of 22 December 2003

The Security Council,

Recalling its resolutions and the statements by its President on the situation in Liberia and West Africa,

Taking note of the reports of the Panel of Experts on Liberia of 30 July[14] and 2 October 2003[15] submitted pursuant to resolution 1478 (2003) of 6 May 2003,

Expressing serious concern at the findings of the Panel of Experts that the measures imposed by resolution 1343 (2001) of 7 March 2001 continue to be breached, particularly through the acquisition of arms,

Welcoming the Comprehensive Peace Agreement signed by the former Government of Liberia, Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia at Accra on 18 August 2003,[8] and the fact that the National Transitional Government of Liberia under Chairman Gyude Bryant took office on 14 October 2003,

Calling upon all States in the region, particularly the National Transitional Government of Liberia, to work together to build lasting regional peace, including through the Economic Community of West African States, the International Contact Group on Liberia, the Mano River Union and the Rabat Process,

Noting with concern, however, that the ceasefire and the Comprehensive Peace Agreement are not yet being universally implemented throughout Liberia and that much of the country remains outside the authority of the National Transitional Government of Liberia, particularly those areas to which the United Nations Mission in Liberia has not yet deployed,

Recognizing the linkage between the illegal exploitation of natural resources such as diamonds and timber, illicit trade in such resources and the proliferation and trafficking of illegal arms as a major source of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

Determining that the situation in Liberia and the proliferation of arms and armed non-State actors, including mercenaries, in the subregion continue to constitute a threat to international peace and security in West Africa, in particular to the peace process in Liberia,

Acting under Chapter VII of the Charter of the United Nations,

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[13] S/2003/926.

[14] See S/2003/779.

[15] See S/2003/937 and Add.1.

A

Recalling its resolutions 1343 (2001), 1408 (2002) of 6 May 2002, 1478 (2003), 1497 (2003) of 1 August 2003 and 1509 (2003) of 19 September 2003,

Noting that the changed circumstances in Liberia, in particular the departure of former President Charles Taylor and the formation of the National Transitional Government of Liberia, and progress with the peace process in Sierra Leone, require the determination of the Council for action under Chapter VII of the Charter to be revised to reflect these altered circumstances,

1. *Decides* to terminate the prohibitions imposed by paragraphs 5 to 7 of resolution 1343 (2001) and paragraphs 17 and 28 of resolution 1478 (2003) and to dissolve the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia;

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2. (*a*) *Decides also* that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not these originated in their territories;

(*b*) *Decides further* that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (*a*) above;

(*c*) *Reaffirms* that the measures in subparagraphs (*a*) and (*b*) above apply to all sales or supply of arms and related materiel destined for any recipient in Liberia, including all non-State actors, such as Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia, and to all former and current militias and armed groups;

(*d*) *Decides* that the measures imposed by subparagraphs (*a*) and (*b*) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for the support of or use by the United Nations Mission in Liberia;

(*e*) *Decides also* that the measures imposed by subparagraphs (*a*) and (*b*) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for the support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee established pursuant to paragraph 21 below ("the Committee");

(*f*) *Decides further* that the measures imposed by subparagraphs (*a*) and (*b*) above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;

(*g*) *Affirms* that the measures imposed by subparagraph (*a*) above do not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

3. *Demands* that all States in West Africa take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation in the subregion;

4. (*a*) *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of all individuals, as designated by the Committee, who constitute a threat to the peace process in Liberia or who are engaged in activities aimed at undermining peace and stability in Liberia and the subregion, including those senior members of the Government of former President Charles Taylor and their spouses and members of Liberia's

former armed forces who retain links to former President Charles Taylor, those individuals determined by the Committee to be in violation of paragraph 2 above and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region, provided that nothing in the present paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(*b*) *Decides also* that the measures in paragraph 4 (*a*) above shall continue to apply to the individuals already designated pursuant to paragraph 7 (*a*) of resolution 1343 (2001), pending the designation of individuals by the Committee as required by and in accordance with paragraph 4 (*a*) above;

(*c*) *Decides further* that the measures imposed by paragraph 4 (*a*) above shall not apply where the Committee determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the resolutions of the Council, for the creation of peace, stability and democracy in Liberia and lasting peace in the subregion;

5. *Expresses its readiness* to terminate the measures imposed by paragraphs 2 (*a*) and (*b*) and 4 (*a*) above when the Council determines that the ceasefire in Liberia is being fully respected and maintained, disarmament, demobilization, reintegration, repatriation and restructuring of the security sector have been completed, the provisions of the Comprehensive Peace Agreement[8] are being fully implemented and significant progress has been made in establishing and maintaining stability in Liberia and the subregion;

6. *Decides* that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia to their territory, whether or not such diamonds originated in Liberia;

7. *Calls upon* the National Transitional Government of Liberia to take urgent steps to establish an effective certificate-of-origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable with a view to joining the Kimberley Process,[16] and to provide the Committee with a detailed description of the proposed regime;

8. *Expresses its readiness* to terminate the measures referred to in paragraph 6 above when the Committee, taking into account expert advice, decides that Liberia has established a transparent, effective and internationally verifiable certificate-of-origin regime for Liberian rough diamonds;

9. *Encourages* the National Transitional Government of Liberia to take steps to join the Kimberley Process as soon as possible;

10. *Decides* that all States shall take the necessary measures to prevent the import into their territories of all round logs and timber products originating in Liberia;

11. *Urges* the National Transitional Government of Liberia to establish its full authority and control over the timber-producing areas and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development;

12. *Expresses its readiness* to terminate the measures imposed by paragraph 10 above once the Council determines that the goals in paragraph 11 above have been achieved;

13. *Encourages* the National Transitional Government of Liberia to establish oversight mechanisms for the timber industry that will promote responsible business practices and to establish transparent accounting and auditing mechanisms to ensure that all government revenues, including those from the Liberian International Ship and Corporate Registry, are not used to fuel

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[16] See A/57/489, annex 2.

conflict or otherwise in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development;

14. *Urges* all parties to the Comprehensive Peace Agreement of 18 August 2003 to implement fully their commitments and fulfil their responsibilities in the National Transitional Government of Liberia, and not to hinder the restoration of the Government's authority throughout the country, particularly over natural resources;

15. *Calls upon* States, relevant international organizations and others in a position to do so to offer assistance to the National Transitional Government of Liberia in achieving the objectives in paragraphs 7, 11 and 13 above, including the promotion of responsible and environmentally sustainable business practices in the timber industry, and to offer assistance with the implementation of the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted by the Economic Community of West African States in Abuja on 31 October 1998;[17]

16. *Encourages* the United Nations and other donors to assist the Liberian civil aviation authorities, including through technical assistance, in improving the professionalism of their staff and their training capabilities and in complying with the standards and practices of the International Civil Aviation Organization;

17. *Takes note* of the establishment by the National Transitional Government of Liberia of a review committee with the task of establishing procedures to fulfil the demands of the Council for the lifting of the measures imposed by the present resolution;

18. *Decides* that the measures in paragraphs 2, 4, 6 and 10 above are established for twelve months from the date of adoption of the present resolution, unless otherwise decided, and that, at the end of this period, the Council shall review the position, assess progress towards the goals in paragraphs 5, 7 and 11 and decide accordingly whether to continue those measures;

19. *Decides also* to review the measures in paragraphs 2, 4, 6 and 10 above by 17 June 2004, to assess progress towards the goals in paragraphs 5, 7 and 11 and to decide accordingly whether to terminate those measures;

20. *Decides further* to keep under regular review the measures imposed by paragraphs 6 and 10 above so as to terminate them as soon as possible once the conditions in paragraphs 7 and 11 above have been met, in order to create revenue for the reconstruction and development of Liberia;

21. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks:

(*a*) To monitor the implementation of the measures in paragraphs 2, 4, 6 and 10 above, taking into consideration the reports of the expert panel established pursuant to paragraph 22 below;

(*b*) To seek from all States, particularly those in the subregion, information about the actions taken by them to implement effectively those measures;

(*c*) To consider and decide upon requests for the exemptions set out in paragraphs 2 (*e*) and (*f*) and 4 (*c*) above;

(*d*) To designate the individuals subject to the measures imposed by paragraph 4 above and to update that list regularly;

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[17] S/1998/1194, annex.

(*e*) To make relevant information publicly available through appropriate media, including the list referred to in subparagraph (*d*) above;

(*f*) To consider and take appropriate action, within the framework of the present resolution, on pending issues or concerns brought to its attention concerning the measures imposed by resolutions 1343 (2001), 1408 (2002) and 1478 (2003) while those resolutions were in force;

(*g*) To report to the Council with its observations and recommendations;

22. *Requests* the Secretary-General to establish, within one month of the date of adoption of the present resolution, in consultation with the Committee, for a period of five months, a Panel of Experts consisting of up to five members, with the range of expertise necessary to fulfil the mandate of the Panel described in the present paragraph, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1478 (2003), to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the implementation, and any violations, of the measures referred to in paragraphs 2, 4, 6 and 10 above, including any violations involving rebel movements and neighbouring countries, and including any information relevant to designation by the Committee of the individuals described in paragraph 4 (*a*) above, and also including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(*b*) To assess the progress made towards the goals described in paragraphs 5, 7 and 11 above;

(*c*) To report to the Council, through the Committee, no later than 30 May 2004, with observations and recommendations, including how to minimize any humanitarian and socio-economic impact of the measures imposed by paragraph 10 above;

23. *Welcomes* the readiness of the United Nations Mission in Liberia, within its capabilities and its areas of deployment and without prejudice to its mandate, once it is fully deployed and carrying out its core functions, to assist the Committee established pursuant to paragraph 21 above and the Panel of Experts established pursuant to paragraph 22 above in monitoring the measures in paragraphs 2, 4, 6 and 10 above, and requests the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d'Ivoire, likewise without prejudicing their capacities to carry out their respective mandates, to assist the Committee and the Panel of Experts by passing to the Committee and the Panel any information relevant to the implementation of the measures in paragraphs 2, 4, 6 and 10 above, in the context of enhanced coordination among United Nations missions and offices in West Africa;

24. *Reiterates its call upon* the international donor community to provide assistance for the implementation of a programme of disarmament, demobilization, reintegration and repatriation, and sustained international assistance to the peace process, and to contribute generously to consolidated humanitarian appeals, and further requests the donor community to respond to the immediate financial, administrative and technical needs of the National Transitional Government of Liberia;

25. *Encourages* the National Transitional Government of Liberia to undertake, with the assistance of the United Nations Mission in Liberia, appropriate actions to sensitize the Liberian population to the rationale of the measures in the present resolution, including the criteria for their termination;

26. *Requests* the Secretary-General to submit a report to the Council by 30 May 2004, drawing on information from all relevant sources, including the National Transitional Government of Liberia, the United Nations Mission in Liberia and the Economic Community of West African States, on progress made towards the goals described in paragraphs 5, 7 and 11 above;

27. *Decides* to remain seized of the matter.

Adopted unanimously at the 4890th meeting.

Decision

At its 4925th meeting, on 12 March 2004, the Security Council considered the item entitled "The situation in Liberia".

Resolution 1532 (2004)
of 12 March 2004

The Security Council,

Recalling its resolution 1521 (2003) of 22 December 2003 and its other resolutions and the statements by its President on the situation in Liberia and West Africa,

Noting with concern that the actions and policies of former President of Liberia Charles Taylor and other persons, in particular their depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, have undermined Liberia's transition to democracy and the orderly development of its political, administrative and economic institutions and resources,

Recognizing the negative impact on Liberia of the transfer abroad of misappropriated funds and assets and the need for the international community to ensure as soon as possible, in accordance with paragraph 6 below, the return of such funds and assets to Liberia,

Expressing concern that former President Taylor, in collaboration with others still closely associated with him, continues to exercise control over and to have access to such misappropriated funds and property, with which he and his associates are able to engage in activities that undermine peace and stability in Liberia and the region,

Determining that this situation constitutes a threat to international peace and security in West Africa, in particular to the peace process in Liberia,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that, to prevent former President of Liberia Charles Taylor, his immediate family members, in particular Jewel Howard Taylor and Charles Taylor, Jr., senior officials of the former Taylor regime, or other close allies or associates as designated by the Committee established pursuant to paragraph 21 of resolution 1521 (2003) (hereinafter "the Committee") from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the subregion, all States in which there are, at the date of adoption of the present resolution or at any time thereafter, funds, other financial assets and economic resources owned or controlled directly or indirectly by Charles Taylor, Jewel Howard Taylor and Charles Taylor, Jr. and/or those other individuals designated by the Committee, including funds, other financial assets and economic resources held by entities owned or controlled, directly or indirectly, by any of them or by any persons acting on their behalf or at their direction, as designated by the Committee, shall freeze without delay all such funds, other financial assets and economic resources and shall ensure that neither these nor any other funds, other financial assets or economic resources are made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of such persons;

2. *Decides also* that the provisions of paragraph 1 above do not apply to funds, other financial assets and economic resources:

(*a*) That have been determined by relevant State(s) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State(s) to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification;

(*b*) That have been determined by relevant State(s) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State(s) to the Committee and has been approved by the Committee; or

(*c*) That have been determined by relevant State(s) to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement, provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 1 above or an individual or entity identified by the Committee, and has been notified by the relevant State(s) to the Committee;

3. *Decides further* that all States may allow for the addition to accounts subject to the provisions of paragraph 1 above of:

(*a*) Interest or other earnings due on those accounts; and

(*b*) Payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of paragraph 1 above;

provided that any such interest, other earnings and payments continue to be subject to those provisions;

4. *Decides* that the Committee shall:

(*a*) Identify individuals and entities of the types described in paragraph 1 above and promptly circulate to all States a list of said individuals and entities, including by posting such a list on the web site of the Committee;

(*b*) Maintain and regularly update and review every six months the list of those individuals and entities identified by the Committee as being subject to the measures set forth in paragraph 1 above;

(*c*) Assist States, where necessary, in tracing and freezing the funds, other financial assets and economic resources of such individuals and entities;

(*d*) Seek from all States information regarding the actions taken by them to trace and freeze such funds, other financial assets and economic resources;

5. *Decides also* to review the measures imposed by paragraph 1 above at least once a year, the first review taking place by 22 December 2004 in conjunction with its review of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003), and to determine at that time what further action is appropriate;

6. *Expresses its intention* to consider whether and how to make available the funds, other financial assets and economic resources frozen pursuant to paragraph 1 above to the Government of Liberia, once that Government has established transparent accounting and auditing mechanisms to ensure the responsible use of government revenue to benefit directly the people of Liberia;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4925th meeting.

Decisions

At its 4981st meeting, on 3 June 2004, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Report of the Secretary-General pursuant to Security Council resolution 1521 (2003) regarding Liberia (S/2004/428)

"Third progress report of the Secretary-General on the United Nations Mission in Liberia (S/2004/430 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jacques Paul Klein, Special Representative of the Secretary-General for Liberia.

On 15 June 2004, the President of the Security Council addressed the following letter to the Secretary-General:[18]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to West Africa from 20 to 29 June 2004, which will be led by Ambassador Emyr Jones Parry. The members of the Council have agreed on the terms of reference of the mission (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"United Kingdom of Great Britain and Northern Ireland (Emyr Jones Parry, head of mission)
"Algeria (Mourad Benmehidi)
"Angola (Ismael Gaspar Martins)
"Benin (Joël W. Adechi)
"Brazil (Irene Vida Gala)
"Chile (Ignacio Llanos)
"China (Jiang Jiang)
"France (Jean-Marc de La Sablière)
"Germany (Stefan Delfs)
"Pakistan (Sohail Mahmood)
"Philippines (Patrick Chuasoto)
"Romania (Marius Ioan Dragolea)
"Spain (Ana Jiménez)
"United States of America (Sichan Siv)

"The mission will be joined in Guinea-Bissau by the Chairman of the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council, Dumisani S. Kumalo, of South Africa.

"I should be grateful if you could have this letter and its annex circulated as a document of the Security Council.

"Annex

"Security Council mission to West Africa 2004: terms of reference

"Regional

- Identify a coherent strategy for United Nations intervention across the spectrum from conflict prevention to peace-building
- Encourage the Economic Community of West African States and its member States, in coordination with the United Nations, to design and implement a subregional conflict prevention strategy, including how to tackle cross-border problems

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[18] S/2004/491.

- **Assess what practical support is needed to strengthen the Economic Community of West African States, particularly its work on conflict prevention, peacekeeping and peace-building**
- **Encourage strengthened cooperation among States of the subregion and between the Economic Community of West African States, the Mano River Union and the United Nations**
- **Identify what additional measures are needed to promote sustainable peace and security, including development, and the role of donors in supporting them**
- **Consider how to build on the current cooperation among United Nations missions and United Nations bodies in the subregion, including through the Special Representative of the Secretary-General for West Africa**
- **Assess progress towards Council objectives on the protection of civilians and children affected by armed conflict**
- **Emphasize the need for all countries to respect their obligations with regard to human rights and international humanitarian law**
- **Underline the Council's support for civil society, including women's groups**
- **Assess the role of sanctions and their effectiveness in helping to build peace and stability in the subregion**

"Sierra Leone

- **Assess progress towards building long-term security and sustainable development, identifying areas for priority attention by the Government and donors**
- **Consider appropriate benchmarks for the drawdown of the United Nations Mission in Sierra Leone in 2005**
- **Assess the contribution of the Special Court for Sierra Leone and the Truth and Reconciliation Commission towards addressing the root causes of the conflict**

"Liberia

- **Support the National Transitional Government of Liberia in its efforts to rebuild Liberia and establish the conditions for free and fair elections in 2005**
- **Urge all members of the National Transitional Government of Liberia to work together for shared goals and to ensure that no factions undermine the implementation of the Accra Peace Agreement[8]**
- **Assess the impact of the Implementation Monitoring Committee in ensuring the full implementation of the Accra Peace Agreement**
- **Review progress made by the United Nations Mission in Liberia in establishing security and implementing its mandate, particularly disarmament, demobilization and reintegration**
- **Assess progress towards fulfilling the criteria for lifting sanctions**

"Côte d'Ivoire

- **Remind every Ivorian party of its responsibility to keep the national reconciliation process on track, including through participation in good faith in the Government of National Reconciliation and in parliamentary business, and** by beginning to disarm militias and armed groups, as stipulated in the Linas-Marcoussis Agreement[19]

- Assess how the United Nations Operation in Côte d'Ivoire and the Monitoring Committee are helping to move all parties towards full implementation of the Linas-Marcoussis Agreement and credible and transparent elections in 2005
- Review progress made towards addressing the underlying causes of the conflict

"Guinea-Bissau

- Demonstrate the Council's support for the efforts of the Government to promote national reconciliation and restore democratic institutions, including free and fair presidential elections in 2005
- With the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council, assess the priority needs of the Government and identify what further steps can be taken to strengthen the partnership between the Government and the international community and to encourage increased donor support".

At its 4991st meeting, on 17 June 2004, the Council considered the item entitled:

"The situation in Liberia

"Report of the Secretary-General pursuant to Security Council resolution 1521 (2003) regarding Liberia (S/2004/428)

"Letter dated 1 June 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2004/396 and Corr.1)".

Resolution 1549 (2004)
of 17 June 2004

The Security Council,

Recalling its resolutions, in particular resolutions 1521 (2003) of 22 December 2003 and 1532 (2004) of 12 March 2004, on the situation in Liberia and West Africa,

Taking note of the report of the Secretary-General on Liberia of 26 May 2004[20] and the report of the Panel of Experts on Liberia of 17 May 2004,[21] both submitted pursuant to resolution 1521 (2003),

Taking note also of the views expressed by the Chairman of the National Transitional Government of Liberia in the Security Council on 3 June 2004 appealing for the lifting of current sanctions on Liberia's timber and diamonds, and the request that Council experts visit Liberia within the next ninety days to assess the performance of the Transitional Government in fulfilling the conditions for the lifting of sanctions,[22]

1. *Decides* to re-establish the Panel of Experts appointed pursuant to paragraph 22 of resolution 1521 (2003) for a further period commencing no later than 30 June and ending on 21 December 2004 to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the implementation, and any violations, particularly ongoing violations, of the measures referred to in paragraphs 2, 4, 6 and 10 of resolution 1521 (2003), including any violations involving rebel movements and neighbouring countries, and including any information relevant to designation by the Security Council Committee established pursuant to resolution 1521 (2003) (hereinafter "the Committee") of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003), and also including the various sources of financing, such as from natural resources, for the illicit trade in arms;

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[19] S/2003/99, annex I.

[20] S/2004/428.

[21] See S/2004/396 and Corr.1, annex.

[22] See S/PV.4981.

(*b*) To assess the progress made towards the goals described in paragraphs 5, 7 and 11 of resolution 1521 (2003);

(*c*) To monitor the implementation and enforcement of the measures imposed by paragraph 1 of resolution 1532 (2004), particularly in Liberia and in neighbouring States, as well as in other regions, and to provide the Committee with any information that the Panel acquires which will facilitate the identification of individuals and entities of the types described in paragraph 1 of resolution 1532 (2004), and with recommendations on technical assistance that Liberia and other States might require to implement the measures;

(*d*) To assess the socio-economic and humanitarian impact of the measures imposed by resolutions 1521 (2003) and 1532 (2004);

2. *Requests* the Panel to provide a mid-term report to the Council for its review, through the Committee, no later than 30 September 2004, with its observations and recommendations, taking into consideration progress made towards the goals identified in resolution 1521 (2003), in particular in paragraphs 7 and 11 of that resolution, and also requests that the Panel present a final report to the Council, through the Committee, no later than 10 December 2004, covering all the tasks assigned to it in paragraph 1 above;

3. *Requests* the Secretary-General, upon adoption of the present resolution and acting in consultation with the Committee, to appoint by 30 June 2004 no more than five experts, with the range of expertise necessary to fulfil the mandate of the Panel referred to above, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts appointed pursuant to paragraph 22 of resolution 1521 (2003), and further requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;

4. *Encourages* the National Transitional Government of Liberia to take urgent steps to establish an effective certificate-of-origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable, and urges the Transitional Government to establish its full authority and control over the timber-producing areas and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the resolutions of the Council but are used for legitimate purposes for the benefit of the Liberian people, including development;

5. *Reiterates its call upon* States, relevant international organizations and others in a position to do so to offer assistance to the National Transitional Government of Liberia in achieving the objectives set forth in paragraphs 5, 7 and 11 of resolution 1521 (2003);

6. *Reiterates its previous appeals* to the international community to provide timely and adequate assistance for the reconstruction and economic recovery of Liberia and, in particular, to redeem the pledges made at the International Reconstruction Conference on Liberia, held in New York on 5 and 6 February 2004;

7. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and the Panel of Experts, including by supplying information on possible violations of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4991st meeting.

THE SITUATION IN CÔTE D'IVOIRE[23]

Decision

At its 4804th meeting, on 4 August 2003, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Report of the Secretary-General on Côte d'Ivoire (S/2003/374 and Corr.1 and Add.1)".

Resolution 1498 (2003)
of 4 August 2003

The Security Council,

Reaffirming its resolutions 1464 (2003) of 4 February 2003 and 1479 (2003) of 13 May 2003, and the statement by its President of 25 July 2003,[24]

Having considered the report of the Secretary-General,[25]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire,

Reaffirming the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Stressing the importance of the commitment of the Government of National Reconciliation to redeploy administration throughout the territory of Côte d'Ivoire,

Reaffirming the need to implement the disarmament, demobilization and reintegration programme,

Welcoming the implementation of the United Nations Mission in Côte d'Ivoire, in accordance with its resolution 1479 (2003),

Reaffirming its full support for the national reconciliation process in Côte d'Ivoire,

1. *Decides* to renew for a period of six months the authorization given to Member States participating in forces of the Economic Community of West African States together with French forces supporting them;

2. *Requests* the Economic Community of West African States, through the command of its force, and France to report to the Council periodically, through the Secretary-General, on all aspects of the implementation of their respective mandates;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4804th meeting.

Decision

At its 4857th meeting, on 13 November 2003, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

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[23] Resolutions or decisions on this question were also adopted by the Security Council in 2002 and during the period from 1 January to 31 July 2003.

[24] S/PRST/2003/11.

[25] S/2003/374 and Corr.1 and Add.1.

"Second report of the Secretary-General on the United Nations Mission in Côte d'Ivoire (S/2003/1069)".

Resolution 1514 (2003)
of 13 November 2003

The Security Council,

Reaffirming its previous resolutions concerning Côte d'Ivoire, in particular its resolution 1479 (2003) of 13 May 2003, in which it authorized the establishment of a special political mission in Côte d'Ivoire, as confirmed in the letter dated 13 October 2003 from the President of the Security Council addressed to the Secretary-General,[26] and its resolutions 1464 (2003) of 4 February 2003 and 1498 (2003) of 4 August 2003,

Having considered the report of the Secretary-General of 4 November 2003,[27]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and reaffirming its opposition to any attempts to take power by unconstitutional means,

Reaffirming its endorsement of the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 ("the Linas-Marcoussis Agreement")[28] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003,

Stressing the urgent need for all parties to participate fully in the Government of National Reconciliation so as to enable it to implement fully all the provisions of the Linas-Marcoussis Agreement,

Stressing also the importance of the commitment of the Government of National Reconciliation to resume effective administration throughout Côte d'Ivoire, and reminding all Ivorian parties of their obligation to contribute positively thereto,

Reaffirming the need for the Government of National Reconciliation to commit itself fully and immediately to the disarmament, demobilization and reintegration programme, including the dismantling of militias, and to the restructuring of the armed forces,

Recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations between States of the region,

Further recalling its full support for the efforts of the Economic Community of West African States and France to promote a peaceful settlement of the conflict,

Noting the continued need for the United Nations Mission in Côte d'Ivoire in accordance with its resolution 1479 (2003),

Noting with concern the continued existence of challenges to the stability of Côte d' Ivoire, and determining that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security in the region,

1. *Decides* that the mandate of the United Nations special political mission in Côte d'Ivoire, the United Nations Mission in Côte d'Ivoire, shall be extended until 4 February 2004;

2. *Requests* the Secretary-General to report to the Security Council by 10 January 2004 on the efforts of the Mission to facilitate peace and stability in Côte d' Ivoire, including how those efforts might be improved and in particular the possible reinforcement of the United Nations presence in Côte d' Ivoire;

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[26] A/58/535, annex II.

[27] S/2003/1069.

[28] S/2003/99, annex I.

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4857th meeting.

Decisions

At the 4857th meeting also, following the adoption of resolution 1514 (2003), the President of the Security Council made the following statement on behalf of the Council:[29]

"The Security Council urges all Ivorian political forces to implement fully, without delay or precondition, all the provisions of the Linas-Marcoussis Agreement[28] as well as those of the agreement reached in Accra on 8 March 2003 ("Accra II"), with a view to open, free and transparent elections being held in Côte d'Ivoire in 2005.

"The Council notes with satisfaction the progress made since the statement by its President of 25 July 2003,[24] in particular the appointment of Ministers of the Interior and of Defence, the adoption of the amnesty bill by the National Assembly, the reopening of the border with Mali and Burkina Faso and the decisions taken by the Council of Ministers on 16 October 2003 to restore public order and reform the statute of Ivorian radio and television.

"The Council expresses its serious concern, however, that the implementation of the Linas-Marcoussis Agreement has slowed down. It emphasizes in particular the importance of the entire Government of National Reconciliation meeting as soon as possible in order to implement fully the content of the Linas-Marcoussis Agreement. It reaffirms in this context the urgency of carrying out the cantonment operations of the forces involved, to allow the beginning of disarmament and demobilization, accompanied by measures for reintegration into the regular army or civilian life.

"The Council further emphasizes the urgent need to begin reforming land law and electoral rules, restore public services and the authority of the State throughout the territory of Côte d'Ivoire and end the use of mercenaries and the illicit purchase of weapons in violation of national laws.

"The Council condemns firmly the grave human rights violations. It further condemns the murder of a French journalist on 21 October 2003 in Abidjan. The Council calls for a full investigation by the Ivorian authorities of this crime and the punishment of the perpetrators in accordance with the law. It also calls upon them to ensure that organs of the press and groups which sponsor them refrain from encouraging any remark that might incite hatred or violence.

"The Council expresses its concern for the grave humanitarian situation in the field. In this context, the Council supports the activities of all United Nations agencies aimed at assisting the Ivorian people.

"The Council further condemns the hostile acts against United Nations personnel in Bouaké and Man on 24 and 25 October 2003, and recalls that all the parties are obliged, by resolution 1479 (2003) of 13 May 2003, to cooperate with the special political mission established by the Security Council, the United Nations Mission in Côte d'Ivoire, and to ensure freedom of movement of its personnel.

"The Council reiterates its full support for the efforts of the Economic Community of West African States, France and the Special Representative of the Secretary-General for Côte d'Ivoire with a view to stabilizing the country and seeking a peaceful settlement of the conflict. The Council welcomes in particular the recent initiatives of the Presidents of the

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[29] S/PRST/2003/20.

Republic of Ghana and the Federal Republic of Nigeria and the holding of a regional summit in Accra on 11 November 2003 to address security problems in the region.

"The Council commends the action of the forces of the Economic Community of West African States and France, and that of the United Nations Mission in Côte d'Ivoire, and pays tribute to the commitment and dedication shown by their personnel. It also welcomes the efforts of the Office of the Special Representative of the Secretary-General for West Africa and of all United Nations missions in the region to coordinate their action in order to address regional issues in an appropriate manner. It expresses its intention to examine the recommendations of the Secretary-General on ways to facilitate peace and stability in Côte d'Ivoire."

At its 4873rd meeting, on 24 November 2003, the Council decided to invite the Minister for Foreign Affairs of Ghana, as well as other members of the ministerial delegation of the Economic Community of West African States Mediation and Security Council, comprising the Minister for Foreign Affairs of Côte d'Ivoire, the Minister for Foreign Affairs of Guinea, the Minister for Foreign Affairs of Nigeria and the Minister for Foreign Affairs of Senegal, to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States.

At its 4874th meeting, held in private on 24 November 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4874th meeting, held in private on 24 November 2003, the Security Council considered the item entitled 'The situation in Côte d'Ivoire'.

"In accordance with the decision taken at the 4873rd meeting, the President of the Security Council, under rule 37 of the provisional rules of procedure of the Council, invited Mr. Nana Akufo-Addo, Minister for Foreign Affairs of Ghana, as well as members of the ministerial delegation, to participate in the discussion in the Council.

"The President also invited Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States, in accordance with rule 39 of the provisional rules of procedure of the Council.

"Members of the Council, the Minister for Foreign Affairs of Ghana and the Executive Secretary of the Economic Community of West African States had a constructive exchange of views."

At its 4875th meeting, on 4 December 2003, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[30]

"The Security Council is gravely concerned by attempts on the part of armed elements, observed on 29 and 30 November 2003 by forces of the Economic Community of West African States and France, to cross the ceasefire line, and by the serious consequences that could arise as a result.

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[30] S/PRST/2003/25.

"The Council reiterates its full support for the forces of the Economic Community of West African States and France and lauds their action to prevent those attempts, in accordance with resolutions 1464 (2003) of 4 February 2003 and 1498 (2003) of 4 August 2003.

"The Council strongly underscores to all the Ivorian parties their fundamental responsibility to respect the ceasefire in accordance with the Linas-Marcoussis Agreement.[28]

"The Council calls upon all the parties to refrain from any act that might compromise respect of the ceasefire and the implementation of the Linas-Marcoussis Agreement, as well as any incitement to such acts.

"The Council reiterates the urgent need for all the parties to take all possible measures to accelerate the implementation of the Linas-Marcoussis Agreement. In this context, it once again underscores the importance of having the Forces nouvelles return and participate fully in the Government of National Reconciliation and the full Government meeting immediately and taking steps to implement all the provisions of the Linas-Marcoussis Agreement. It also reaffirms the urgent need to conduct operations to canton the forces on the ground in order to begin disarmament and demobilization, accompanied by measures to facilitate their reintegration into the regular army or into civilian life.

"The Council reiterates in this regard its intention to consider the recommendations of the Secretary-General on the means of facilitating peace and stability in Côte d'Ivoire.

"The Council welcomes the commitments undertaken by President Laurent Gbagbo in his speech on 27 November 2003,[31] in which he reaffirmed his intention to implement without delay the provisions of the Linas-Marcoussis Agreement, and expects the fulfilment of those commitments.

"The Council calls upon all parties in Côte d'Ivoire and countries of the region to guarantee the safety and full access of personnel of humanitarian agencies working in the field during the consolidation of the peace process."

At its 4909th meeting, on 4 February 2004, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Report of the Secretary-General on the United Nations Mission in Côte d'Ivoire submitted pursuant to Security Council resolution 1514 (2003) of 13 November 2003 (S/2004/3)".

Resolution 1527 (2004)
of 4 February 2004

The Security Council,

Reaffirming its previous resolutions concerning Côte d'Ivoire, in particular its resolutions 1514 (2003) of 13 November 2003, 1498 (2003) of 4 August 2003 and 1464 (2003) of 4 February 2003,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in relations between the States of the region,

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[31] See S/2003/1165, annex.

Reaffirming its endorsement of the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 ("the Linas-Marcoussis Agreement")[28] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003,

Stressing the importance of the complete and unconditional implementation of the measures provided for under the Linas-Marcoussis Agreement, and taking note with satisfaction of the progress made recently in this regard,

Recalling its full support for the efforts of the Economic Community of West African States and France to promote a peaceful settlement of the conflict, and welcoming in particular the effective action taken by the Economic Community of West African States Mission in Côte d'Ivoire in order to stabilize the country, as well as the commitment of the African Union in supporting the process of national reconciliation in Côte d'Ivoire,

Taking note of the message addressed to the Security Council on 10 November 2003 by the President of the Republic of Côte d'Ivoire,[32] in which he requested the transformation of the United Nations Mission in Côte d'Ivoire into a peacekeeping operation,

Noting the need for the Mission to continue carrying out its mandate as outlined in its resolution 1479 (2003) of 13 May 2003,

Affirming its readiness to consider the recommendations contained in the report of the Secretary-General of 6 January 2004[33] as well as the need for coordination of the United Nations efforts in West Africa,

Noting with concern the continued existence of challenges to the stability of Côte d'Ivoire, and determining that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Côte d'Ivoire shall be extended until 27 February 2004;

2. *Decides also* to renew until 27 February 2004 the authorization given to Member States participating in forces of the Economic Community of West African States, together with French forces supporting them;

3. *Takes note with appreciation* of the report of the Secretary-General of 6 January 2004 on the United Nations Mission in Côte d' Ivoire;[33]

4. *Calls upon* the signatories to the Linas-Marcoussis Agreement[28] to carry out expeditiously their responsibilities under the Linas-Marcoussis Agreement;

5. *Also calls upon* the signatories to the Linas-Marcoussis Agreement to take the steps called for by the Secretary-General in paragraph 86 of his report, and expresses its readiness to help them to achieve lasting peace and stability;

6. *Requests* the Secretary-General, pending a decision by the Security Council on the reinforcement of the United Nations presence in Côte d'Ivoire as recommended in paragraph 61 of the report of the Secretary-General, to prepare the possible deployment of a peacekeeping operation within five weeks after such decision by the Council;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4909th meeting.

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[32] S/2003/1081, annex.

[33] S/2004/3.

Decision

At its 4918th meeting, on 27 February 2004, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Report of the Secretary-General on the United Nations Mission in Côte d'Ivoire submitted pursuant to Security Council resolution 1514 (2003) of 13 November 2003 (S/2004/3 and Add.1 and 2)".

Resolution 1528 (2004)
of 27 February 2004

The Security Council,

Recalling its resolutions 1464 (2003) of 4 February 2003, 1479 (2003) of 13 May 2003, 1498 (2003) of 4 August 2003, 1514 (2003) of 13 November 2003 and 1527 (2004) of 4 February 2004, and the statements by its President on Côte d'Ivoire,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 ("the Linas-Marcoussis Agreement")[28] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003,

Taking note with satisfaction of the recent progress, in particular the return of the Forces nouvelles to the Government, the agreement reached on the implementation of the programme of disarmament, demobilization and reintegration, and the talks between the President of the Republic of Côte d'Ivoire and the Forces nouvelles,

Considering that the Ivorian parties have made the progress called for by the Secretary-General towards the steps mentioned in paragraph 86 of his report of 6 January 2004 on the United Nations Mission in Côte d'Ivoire,[33] as confirmed to the Council on 4 February 2004, and encouraging the Ivorian parties to continue their efforts in that direction,

Calling upon the parties and the Government of National Reconciliation to take all necessary steps to prevent further violations of human rights and international humanitarian law and to put an end to impunity,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security, its resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 on children and armed conflict, and its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Deeply concerned by the deteriorating economic situation in Côte d'Ivoire and its serious impact on the subregion as a whole,

Welcoming the commitment of the African Union in supporting the process of national reconciliation in Côte d'Ivoire,

Recalling its full support for the efforts of the Economic Community of West African States and France to promote a peaceful settlement of the conflict, and welcoming in particular the effective action taken by the forces of the Economic Community of West African States in order to stabilize the country, *Taking note* of the message addressed to the Security Council on 10 November 2003 by the President of the Republic of Côte d'Ivoire,[32] in which he requested the transformation of the United Nations Mission in Côte d'Ivoire into a peacekeeping operation,

Taking note also of the request made by the Economic Community of West African States to the Security Council on 24 November 2003 to establish a peacekeeping operation in Côte d'Ivoire,[34]

Noting that lasting stability in Côte d'Ivoire will depend on peace in the subregion, especially in Liberia, and emphasizing the importance of cooperation among the countries of the subregion to this end, as well as the need for coordination of the efforts of the United Nations missions in the subregion to contribute to the consolidation of peace and security,

Having considered the report of the Secretary-General on the United Nations Mission in Côte d'Ivoire,[35]

Taking note of the letter dated 8 January 2004 from the President of the General Assembly addressed to the President of the Security Council,[36]

Aware of the persistent challenges to the stability of Côte d'Ivoire, and determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish the United Nations Operation in Côte d'Ivoire for an initial period of twelve months as from 4 April 2004, and requests the Secretary-General to transfer authority from the United Nations Mission in Côte d'Ivoire and the forces of the Economic Community of West African States to the United Nations Operation in Côte d'Ivoire on that date, and decides, therefore, to renew the mandate of the United Nations Mission in Côte d'Ivoire until 4 April 2004;

2. *Decides also* that the United Nations Operation in Côte d'Ivoire shall comprise, in addition to the appropriate civilian, judiciary and corrections component, a military strength of a maximum of 6,240 United Nations personnel, including 200 military observers and 120 staff officers, and up to 350 civilian police officers, as required to perform the mandated tasks described in paragraph 6 below;

3. *Requests* the Secretary-General to encourage the United Nations missions in West Africa to share logistic and administrative support, to the extent possible, without prejudicing their operational capabilities with respect to their mandates, in order to maximize effectiveness and minimize the cost of the missions;

4. *Requests* the United Nations Operation in Côte d'Ivoire to carry out its mandate in close liaison with the United Nations missions in Sierra Leone and in Liberia, including, especially, in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilization programmes;

5. *Reaffirms its strong support* for the Special Representative of the Secretary-General for Côte d'Ivoire, and approves his full authority for the coordination and conduct of all the activities of the United Nations system in Côte d'Ivoire;

6. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire, in coordination with the French forces authorized in paragraph 16 below, shall be the following:

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[34] See S/PV.4873.

[35] S/2004/3 and Add.1 and 2.

[36] S/2004/100.

Monitoring of the ceasefire and movements of armed groups

(*a*) To observe and monitor the implementation of the comprehensive ceasefire agreement of 3 May 2003, and to investigate violations of the ceasefire;

(*b*) To liaise with the National Armed Forces of Côte d'Ivoire and the military elements of the Forces nouvelles in order to promote, in coordination with the French forces, the re-establishment of trust between all the Ivorian forces involved, as stated in its resolution 1479 (2003);

(*c*) To assist the Government of National Reconciliation in monitoring the borders, with particular attention to the situation of Liberian refugees and to the movement of combatants;

Disarmament, demobilization, reintegration, repatriation and resettlement

(*d*) To assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to ensure the security of their cantonment sites;

(*e*) To help the Government of National Reconciliation to implement the national programme for the disarmament, demobilization and reintegration of the combatants, with special attention to the specific needs of women and children;

(*f*) To coordinate closely with the United Nations missions in Sierra Leone and in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, with special attention to the specific needs of women and children, in support of the efforts of the Government of National Reconciliation and in cooperation with the Governments concerned, relevant international financial institutions, international development organizations and donor nations;

(*g*) To ensure that the programmes mentioned in subparagraphs (*e*) and (*f*) above take into account the need for a regional approach;

(*h*) To guard weapons, ammunition and other materiel handed over by the former combatants and to secure, neutralize or destroy such materiel;

Protection of United Nations personnel, institutions and civilians

(*i*) To protect United Nations personnel, installations and equipment, provide the security and freedom of movement of United Nations personnel and, without prejudice to the responsibility of the Government of National Reconciliation, to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment;

(*j*) To support, in coordination with the Ivorian authorities, the provision of security for the ministers of the Government of National Reconciliation;

Support for humanitarian assistance

(*k*) To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by helping to establish the necessary security conditions;

Support for the implementation of the peace process

(*l*) To facilitate, in cooperation with the Economic Community of West African States and other international partners, the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d'Ivoire;

(*m*) To provide oversight, guidance and technical assistance to the Government of National Reconciliation, with the assistance of the Economic Community of West African States and other international partners, to prepare for and assist in the conduct of free, fair and transparent electoral processes linked to the implementation of the Linas-Marcoussis Agreement,[28] in particular the presidential election;

Assistance in the field of human rights

(*n*) To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against women and girls, and to help to investigate human rights violations with a view to helping to end impunity;

Public information

(*o*) To promote understanding of the peace process and the role of the United Nations Operation in Côte d'Ivoire among local communities and the parties through an effective public information capacity, including the establishment, as necessary, of a United Nations radio broadcasting capability;

Law and order

(*p*) To assist the Government of National Reconciliation, in conjunction with the Economic Community of West African States and other international organizations, in restoring a civilian policing presence throughout Côte d'Ivoire, and to advise the Government of National Reconciliation on the restructuring of the internal security services;

(*q*) To assist the Government of National Reconciliation, in conjunction with the Economic Community of West African States and other international organizations, in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;

7. *Requests* the Secretary-General to give special attention to the gender and child-protection components within the staff of the United Nations Operation in Côte d'Ivoire;

8. *Authorizes* the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

9. *Requests* the Secretary-General and the Government of National Reconciliation to conclude a status-of-forces agreement within thirty days of the adoption of the present resolution, taking into consideration General Assembly resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and notes that, pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[37] shall apply provisionally;

10. *Stresses* the importance of the complete and unconditional implementation of the measures provided for under the Linas-Marcoussis Agreement, and demands that the parties fulfil their obligations under the Linas-Marcoussis Agreement so that, in particular, the forthcoming presidential election can be held in 2005 in accordance with the constitutional deadlines;

11. *Calls upon* all parties to cooperate fully in the deployment and operations of the United Nations Operation in Côte d'Ivoire, in particular by guaranteeing the safety, security and freedom of movement of United Nations personnel as well as associated personnel throughout the territory of Côte d'Ivoire;

12. *Reaffirms*, in particular, the need for the Government of National Reconciliation to undertake the complete and immediate implementation of the disarmament, demobilization and reintegration programme, including the disbanding of all armed groups, in particular the militias, the curbing of all kinds of disruptive street protests, especially of the various youth groups, and the restructuring of the armed forces and the internal security services;

13. *Urges* the international community to continue considering how it might help further economic development in Côte d'Ivoire, with a view to achieving long-term stability in Côte d'Ivoire and the whole subregion;

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[37] A/45/594.

14. *Requests* the Secretary-General to keep the Council regularly informed of the situation in Côte d'Ivoire, the implementation of the Linas-Marcoussis Agreement and the implementation of the mandate of the United Nations Operation in Côte d'Ivoire, and to report to it in this regard every three months, including a review of the troop level, with a view to a phasing-down in the light of the progress achieved on the ground and the tasks remaining to be fulfilled;

15. *Decides* to renew until 4 April 2004 the authorization given to the French forces and the forces of the Economic Community of West African States through its resolution 1527 (2004);

16. *Authorizes*, for a period of twelve months from 4 April 2004, the French forces to use all necessary means in order to support the United Nations Operation in Côte d'Ivoire, in accordance with the agreement to be reached between the United Nations Operation in Côte d'Ivoire and the French authorities, and in particular:

(*a*) To contribute to the general security of the area of activity of the international forces;

(*b*) To intervene at the request of the United Nations Operation in Côte d'Ivoire in support of its elements whose security may be threatened;

(*c*) To intervene against belligerent actions, if the security conditions so require, outside the areas directly controlled by the United Nations Operation in Côte d'Ivoire;

(*d*) To help to protect civilians in the deployment areas of their units;

17. *Requests* France to continue to report to it periodically on all aspects of its mandate in Côte d'Ivoire;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4918th meeting.

Decisions

On 31 March 2004, the President of the Security Council addressed the following letter to the Secretary-General:[38]

> "I have the honour to inform you that your letter dated 25 March 2004 concerning your intention to appoint Major General Abdoulaye Fall, of Senegal, to the post of Force Commander of the United Nations Operation in Côte d'Ivoire[39] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4959th meeting, on 30 April 2004, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[40]

> "The Security Council expresses its grave concern at the events which occurred in Côte d'Ivoire at the end of March 2004 and at the current impasse in the peace process defined in the Linas-Marcoussis Agreement.[28]
>
> "The Council underscores the importance of investigating all alleged violations of human rights committed in Côte d'Ivoire so that those responsible do not remain unpunished.

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[38] S/2004/268.

[39] S/2004/267.

[40] S/PRST/2004/12.

"The Council reaffirms its strong commitment to the territorial integrity and unity of Côte d'Ivoire.

"The Council recalls that it endorsed the Linas-Marcoussis Agreement, which remains the only possible solution to the crisis in Côte d'Ivoire.

"The Council further recalls that all Ivorian political forces have committed themselves to implement fully and with no conditions the Linas-Marcoussis Agreement. The Council decided, on the basis of this commitment, to deploy the United Nations Operation in Côte d'Ivoire to support the process of peaceful settlement of the crisis, which is to culminate in 2005 with the organization of free, fair and transparent elections.

"The Council emphasizes the individual responsibility of each of the Ivorian actors in the settlement of the crisis.

"The Council expresses its readiness to consider further steps to encourage full implementation of the Linas-Marcoussis Agreement and to promote the process of national reconciliation in Côte d'Ivoire, including actions that might be taken, if necessary, against individuals whose activities are an obstacle to the full implementation of the Linas-Marcoussis Agreement."

At its 4977th meeting, on 25 May 2004, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[41]

"The Security Council reiterates its grave concern at the events which occurred in Côte d'Ivoire at the end of March 2004 and at the current impasse in the peace process defined in the Linas-Marcoussis Agreement.[28]

"The Council recalls that it endorsed the Linas-Marcoussis Agreement, which is the only solution to the crisis in Côte d'Ivoire.

"The Council reaffirms the individual responsibility of each of the Ivorian actors to ensure the full implementation of the Linas-Marcoussis Agreement. It reiterates its complete readiness to take any necessary further steps against individuals who block the full implementation of the Linas-Marcoussis Agreement.

"The Council takes note with deep concern of the report of the commission of inquiry of the Office of the United Nations High Commissioner for Human Rights on the events that occurred in Abidjan on 25 and 26 March 2004. It expresses its appreciation for the work of the Office of the High Commissioner.

"The Council strongly condemns the violations of human rights and international humanitarian law committed in Côte d'Ivoire, including those that occurred in Abidjan on 25 and 26 March 2004, and expresses its determination to ensure that those responsible for all these violations are identified and that the Government of Côte d'Ivoire brings them to justice. The Council expects President Laurent Gbagbo to comply fully with the commitment he has made in this regard, through the letter dated 20 May 2004 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council.[42]

"The Council therefore requests the Secretary-General to establish as soon as possible the international commission of inquiry, as recommended by the commission of inquiry of the Office of the United Nations High Commissioner for Human Rights and requested by the Government of Côte d'Ivoire, in order to investigate all human rights violations committed in Côte d'Ivoire since 19 September 2002 and determine responsibility. The Council calls upon all the Ivorian parties to cooperate fully with this international commission of inquiry.

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[41] S/PRST/2004/17.

[42] S/2004/414.

"The Council reiterates its demand for the Government of Côte d'Ivoire to bring to justice those responsible for these violations of human rights. In this regard, it expresses its complete readiness to encourage possible international assistance to the Ivorian judicial authorities to this end and requests the Secretary-General to submit recommendations on the various possible options for such assistance.

"The Council is deeply concerned by slogans and declarations of hate, in particular those directed against the personnel of the United Nations Operation in Côte d'Ivoire, and urges all the Ivorian actors to refrain from any action or statement, especially in the media, which put at risk the security of United Nations personnel and, more globally, the process of national reconciliation. The Council recalls the obligation of all Ivorian actors, in particular the Government of Côte d'Ivoire, to cooperate fully in the deployment and operations of the United Nations Operation in Côte d'Ivoire, which is there at the request of the Government, in particular by guaranteeing the safety, security and freedom of movement of all United Nations personnel.

"The Council requests the United Nations Operation in Côte d'Ivoire to establish without delay its broadcasting capacity, as mandated in its resolution 1528 (2004) of 27 February 2004.

"The Council recalls that it decided, on the basis of the commitment of all Ivorian political forces to implement fully and without conditions the Linas-Marcoussis Agreement, to deploy the United Nations Operation in Côte d'Ivoire to support the process of peaceful settlement of the crisis, which is to lead to the organization in 2005 of open, free and transparent elections.

"The Council underlines the fact that no concrete progress can be made in the implementation of the Linas-Marcoussis Agreement until the Government of National Reconciliation composed on 13 March 2003 and completed on 12 September 2003 meets again under the authority of the Prime Minister.

"The Council is therefore deeply concerned by the recent announcement by President Laurent Gbagbo that he would dismiss opposition ministers. The Council also reiterates its concerns at the continuing non-participation of the opposition parties in the Government of National Reconciliation. The Council considers that such decisions undermine the normal functioning of Ivorian institutions and the resumption of dialogue between Ivorian parties which is the basis of the Linas-Marcoussis Agreement.

"The Council underscores the importance of having all relevant Ivorian parties participate fully in the Government of National Reconciliation. In this regard, the Council calls upon all Ivorian parties to apply faithfully all the provisions of the Linas-Marcoussis Agreement, including those regarding the composition and the functioning of the Government of National Reconciliation, and to resume immediately political dialogue with a view to ensuring the effective functioning of the Government of National Reconciliation.

"The Council reiterates its full support to Prime Minister Seydou Diarra, head of the Government of National Reconciliation, and encourages him to carry on his task until the completion of the peace process, as foreseen in the Linas-Marcoussis Agreement.

"The Council recalls the importance it attaches to the early and full adoption of the constitutional and legislative reforms provided for in the Linas-Marcoussis Agreement.

"The Council takes note in this regard of the renewed commitment of President Laurent Gbagbo, in his message to the nation on 18 May 2004,[43] to apply fully the Linas-Marcoussis Agreement, and his request addressed to the Parliament to accelerate the achievement of the legislative reforms. It now expects these commitments to be fulfilled in order that concrete steps can be undertaken to restore confidence.

"The Council also reaffirms the urgency of disbanding militias and armed groups and proceeding with operations to regroup the opposing forces in order to permit the start of disarmament and demobilization, which must precede their reintegration into the regular army or civilian life.

"The Council firmly rejects the assertion that disarmament can be delayed until after the 2005 elections and calls upon all parties to move immediately to begin this process.

"The Council underlines the responsibilities of the Monitoring Committee as the guarantor of the implementation of the Linas-Marcoussis Agreement and expresses its appreciation for further efforts it may undertake in order to overcome the current impasse in the peace process as well as in supporting the United Nations Operation in Côte d'Ivoire in carrying out its mandate.

"The Council calls upon all parties to take immediate action to implement the steps above and emphasizes that these measures are essential to enable Côte d'Ivoire and Ivorians to return to the path to peace, stability and economic development."

LETTER DATED 31 MARCH 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF PAPUA NEW GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL[44]

Decisions

At its 4805th meeting, on 6 August 2003, the Security Council decided to invite the representatives of Australia, Fiji, Japan, New Zealand and Papua New Guinea to participate, without vote, in the discussion of the item entitled "Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council (S/1998/287)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Noel Sinclair, Head of the United Nations Political Office in Bougainville.

At its 4881st meeting, on 15 December 2003, the Council decided to invite the representatives of Australia, Japan, New Zealand and Papua New Guinea to participate, without vote, in the discussion of the item entitled "Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council (S/1998/287)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

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[43] See S/2004/411, annex.

[44] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

On 23 December 2003, the President of the Security Council addressed the following letter to the Secretary-General:[45]

> "I have the honour to inform you that your letter dated 19 December 2003 concerning your intention to establish a small United Nations Observer Mission in Bougainville for a six-month period to replace the United Nations Political Office in Bougainville, the mandate of which expires on 31 December 2003,[46] has been brought to the attention of the members of the Security Council. They take note of your intention, as well as the functions and the staffing structure of the Mission, as indicated in your letter."

At its 4962nd meeting, on 6 May 2004, the Council decided to invite the representatives of Fiji, Japan, New Zealand and Papua New Guinea to participate, without vote, in the discussion of the item entitled "Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council (S/1998/287)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

On 30 June 2004, the President of the Security Council addressed the following letter to the Secretary-General:[47]

> "I have the honour to inform you that your letter dated 25 June 2004 concerning your recommendation to extend the mandate of the United Nations Observer Mission in Bougainville for a further six-month period, from 1 July to 31 December 2004,[48] has been brought to the attention of the members of the Security Council. They take note of the recommendation and information contained in your letter. The Council states that it is its intention that this be the final extension of the Mission, and requests that the Secretary-General submit a report to the Council within three months on an assessment of the ground situation and on a mission-closure plan."

THE SITUATION CONCERNING WESTERN SAHARA[49]

Decisions

On 8 August 2003, the President of the Security Council addressed the following letter to the Secretary-General:[50]

> "I have the honour to inform you that your letter dated 5 August 2003 concerning your intention to appoint Mr. Alvaro de Soto, of Peru, as your Special Representative for Western Sahara[51] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[45] S/2003/1199.

[46] S/2003/1198.

[47] S/2004/527.

[48] S/2004/526.

[49] Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1988, 1990 to 2002 and during the period from 1 January to 31 July 2003.

[50] S/2003/797.

[51] S/2003/796.

At its 4850th meeting, on 28 October 2003, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2003/1016)".

Resolution 1513 (2003)
of 28 October 2003

The Security Council,

Recalling all its resolutions on Western Sahara, and reaffirming in particular resolution 1495 (2003) of 31 July 2003,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 January 2004;

2. *Requests* that the Secretary-General provide a report on the situation before the end of the present mandate;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4850th meeting.

Decision

At its 4905th meeting, on 30 January 2004, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2004/39)".

Resolution 1523 (2004)
of 30 January 2004

The Security Council,

Recalling all its resolutions on Western Sahara, and reaffirming in particular resolution 1495 (2003) of 31 July 2003,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 April 2004;

2. *Requests* that the Secretary-General provide a report on the situation before the end of the present mandate;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4905th meeting.

Decision

At its 4957th meeting, on 29 April 2004, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2004/325 and Add.1)".

Resolution 1541 (2004)
of 29 April 2004

The Security Council,

Recalling all its resolutions on Western Sahara, and reaffirming in particular resolution 1495 (2003) of 31 July 2003,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the purposes and principles of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Having considered the report of the Secretary-General,[52]

1. *Reaffirms its support* for the Peace Plan for Self-Determination of the People of Western Sahara[53] as an optimum political solution on the basis of agreement between the two parties;

2. *Reaffirms its strong support* for the efforts of the Secretary-General and his Personal Envoy to achieve a mutually acceptable political solution to the dispute over Western Sahara;

3. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

4. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 October 2004;

5. *Requests* that the Secretary-General provide a report on the situation before the end of the present mandate, and also requests the Secretary-General to include in that report an evaluation of the mission size necessary for the Mission to carry out its mandated tasks, with a view towards its possible reduction;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 4957th meeting.

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[54]

Decision

At its 4807th meeting, on 13 August 2003, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Letter dated 15 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1146 and Add.1 and Add.1/Corr.1)".

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[52] S/2004/325 and Add.1.

[53] S/2003/565 and Corr.1, annex II.

[54] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

Resolution 1499 (2003)
of 13 August 2003

The Security Council,

Recalling its relevant resolutions and the statements by its President on the Democratic Republic of the Congo, in particular resolutions 1457 (2003) of 24 January 2003 and 1493 (2003) of 28 July 2003,

Welcoming recent progress in the political process and the establishment of the transitional Government in the Democratic Republic of the Congo,

Noting with great concern that the plundering of natural resources of the Democratic Republic of the Congo continues, especially in the eastern part of the country, as reported to the Council on 24 July 2003 in an interim briefing by the Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (hereinafter "the Panel"), and stressing that appropriate action should be taken with regard to those responsible for such activities,

Taking note of the efforts of the Panel to establish constructive dialogue with individuals, companies and States named in its report of 8 October 2002,[55]

Welcoming the publication, as an attachment to the report of the Panel, of the reactions of those individuals, companies and States,[56]

Recognizing that exchanging information and attempting to resolve issues will help the transparency of the work of the Panel, as well as heighten awareness of the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo in the context of the conflict and, in particular, its connection with the illicit trade in small arms and light weapons,

Taking note of the intention of the Panel, in accordance with paragraph 9 of resolution 1457 (2003), to remove from the annexes to its report the names of those parties with which it has or will have reached a resolution by the end of its mandate,

Renewing its support to the Panel in its efforts to secure, including through dialogue with parties named in its latest report, particularly with Governments concerned, a clearer picture of activities related to the illegal exploitation of natural resources in the Democratic Republic of the Congo, and to update its findings during the remainder of its mandate period,

1. *Requests* the Secretary-General to extend the mandate of the Panel until 31 October 2003 to enable it to complete the remaining elements of its mandate, at the end of which the Panel will submit a final report to the Council;

2. *Reiterates its demand* that all States concerned take immediate steps to end the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo;

3. *Requests* the Panel to provide the necessary information to the Governments concerned, as required in paragraphs 12 and 13 of resolution 1457 (2003), with due regard to safety of sources, in order to enable them, if necessary, to take appropriate action according to their national laws and international obligations;

4. *Calls upon* all States to respect the relevant Security Council resolutions in this regard;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4807th meeting.

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[55] See S/2002/1146, annex.

[56] See S/2002/1146/Add.1 and Corr.1.

Decision

At its 4813th meeting, on 26 August 2003, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> > "Letter dated 14 August 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/821)".

Resolution 1501 (2003)
of 26 August 2003

The Security Council,

Recalling its relevant resolutions and the statements by its President on the Democratic Republic of the Congo, in particular resolutions 1484 (2003) of 30 May 2003 and 1493 (2003) of 28 July 2003,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all the States of the region,

Deeply concerned by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in the district of Ituri as well as in the provinces of North and South Kivu,

Reaffirming its support to the peace process and national reconciliation, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo,

Also reaffirming its support to the Interim Emergency Multinational Force deployed in Bunia in accordance with resolution 1484 (2003), and stressing the need to ensure the best conditions for the transfer of authority from the Force to the Mission on 1 September 2003 to contribute in the most efficient way possible to the continuing stabilization of Ituri,

Having taken note of the letter dated 14 August 2003 from the Secretary-General addressed to the President of the Security Council[57] and of the recommendation contained therein,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Approves* the recommendation contained in the Secretary-General's letter of 14 August 2003;[57]

2. *Authorizes* the States members of the Interim Emergency Multinational Force, within the limits of the means at the disposal of those elements of the Force which will not yet have left Bunia before 1 September 2003, to provide assistance to the contingent of the United Nations Organization Mission in the Democratic Republic of the Congo deployed in the town and its immediate surroundings, if the Mission requests them to do so and if exceptional circumstances demand it, during the period of disengagement of the Force, which should last until 15 September 2003 at the latest;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4813th meeting.

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[57] S/2003/821.

Decisions

At its 4863rd meeting, on 19 November 2003, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

> "The situation concerning the Democratic Republic of the Congo
>
> "Letter dated 23 October 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/1027)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[58]

> "*The Security Council*
>
> "*Takes note* of the final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo ("the Panel"), of 15 October 2003,[59] which concludes its work, and emphasizes the connection, in the context of the continuing conflict, between the illegal exploitation of natural resources and trafficking in raw materials and arms, which the Panel has highlighted;
>
> "*Condemns* the continuing illegal exploitation of natural resources in the Democratic Republic of the Congo, especially in the eastern part of the country, recalls that it has always categorically condemned these activities, which are one of the main elements perpetuating the conflict, and reaffirms the importance of stopping them by exerting, if need be, the necessary pressure on the armed groups, traffickers and all other actors involved;
>
> "*Urges* all States concerned, especially those in the region, to take the appropriate steps to end these illegal activities, by proceeding with their own investigations, on the basis, in particular, of information and documentation accumulated by the Panel during its work and forwarded to Governments, including through judicial means where possible, and, if necessary, to report to the Council;
>
> "*Reaffirms its determination* to monitor closely compliance with the arms embargo imposed by resolution 1493 (2003) of 28 July 2003 and expresses its intention to address the problem posed by the illicit flow of weapons into the Democratic Republic of the Congo, including by considering the possible establishment of a monitoring mechanism;
>
> "*Emphasizes* that the prompt re-establishment, by the Government of National Unity and Transition, of State authority throughout the territory, and the establishment of competent administrations to protect and control exploitation activities will constitute decisive elements for ending the plundering of natural resources in the Democratic Republic of the Congo;
>
> "*Encourages* the Government of National Unity and Transition to implement the resolutions adopted in Sun City, South Africa, in April 2002 within the framework of the Inter-Congolese Dialogue;
>
> "*Encourages* States, trade-sector organizations and specialized bodies to monitor the trade in raw materials from the region in order to put an end to the plundering of natural resources in the Democratic Republic of the Congo, particularly within the framework of the Kimberley Process;[60]

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[58] S/PRST/2003/21.

[59] See S/2003/1027.

[60] See A/57/489, annex 2.

"*Encourages* States, the international financial community and the international organizations concerned to provide the aid needed to the Government of National Unity and Transition and to cooperate closely with it in order to support the establishment of national institutions capable of ensuring that the natural resources are exploited transparently to benefit effectively the Congolese people;

"*Expresses the wish* that convening, at an appropriate time, an international conference on peace, security, democracy and development in the Great Lakes region of Africa will encourage the promotion of regional cooperation to the benefit of all States concerned;

"*Expresses its intention* to continue following closely this situation in the Democratic Republic of the Congo."

At its 4894th meeting, on 15 January 2004, the Council decided to invite the representatives of Belgium and the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1522 (2004)
of 15 January 2004

The Security Council,

Recalling its resolutions and the statements by its President on the situation concerning the Democratic Republic of the Congo,

Encouraged by the progress achieved in the peace process in the Democratic Republic of the Congo since the conclusion of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed at Pretoria on 17 December 2002, and the subsequent establishment of the Government of National Unity and Transition,

Considering that the reform of the security sector, including the disarmament, demobilization and reintegration of former combatants, the effective restructuring and integration of the armed forces of the former Congolese belligerents and the establishment of an integrated national police, are key elements for the success of the transition process in the Democratic Republic of the Congo,

Reaffirming, in this regard, that overall responsibility lies with the Government of National Unity and Transition, welcoming the establishment of an integrated High Command, and calling for effective cooperation at all levels of the Congolese armed forces,

1. *Welcomes* the efforts currently being undertaken to set up the first integrated and unified brigade in Kisangani as a step towards the elaboration and implementation of a comprehensive programme for the formation of a Congolese integrated national army;

2. *Decides* that, since the Government of National Unity and Transition has been established and is in place, its demand for the demilitarization of Kisangani and its surroundings laid down in paragraph 3 of resolution 1304 (2000) of 16 June 2000 shall not apply to the restructured and integrated forces of the Democratic Republic of the Congo and to the armed forces included in the comprehensive programme for the formation of an integrated and restructured national army;

3. *Urges* the Government of National Unity and Transition to take the appropriate measures for the restructuring and integration of the armed forces of the Democratic Republic of the Congo in accordance with the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, including setting up a Supreme Defence Council and the elaboration of a national plan for disarmament, demobilization and reintegration, as well as the necessary legislative framework;

4. *Calls upon* the international community to provide further assistance for the integration and restructuring of the armed forces of the Democratic Republic of the Congo, in accordance with Security Council resolution 1493 (2003) of 28 July 2003;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4894th meeting.

Decision

At its 4926th meeting, on 12 March 2004, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Fourteenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2003/1098)".

Resolution 1533 (2004)
of 12 March 2004

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reiterating its concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in North and South Kivu and in Ituri, which perpetuates a climate of insecurity in the whole region,

Condemning the continuing illicit flow of weapons into the Democratic Republic of the Congo, and declaring its determination to monitor closely compliance with the arms embargo imposed by its resolution 1493 (2003) of 28 July 2003,

Underscoring the right of the Congolese people to control their own natural resources, recalling in this regard the statement made by its President on 19 November 2003,[58] which emphasizes the connection, in the context of the continuing conflict, between the illegal exploitation of natural resources and trafficking in raw materials and arms, as highlighted in the final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo,[59] and stressing for this purpose the need for all Member States to work to achieve an end to the illegal exploitation of natural resources,

Encouraging all States signatories to the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa of 15 March 2000[61] to implement quickly the measures required by the Coordinated Agenda for Action, as an important means of support of the measures imposed by paragraph 20 of resolution 1493 (2003),

Taking note of the fourteenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, of 17 November 2003,[62] and of the recommendations contained therein,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the demand, laid down in paragraph 20 of resolution 1493 (2003), that all States take the necessary measures to prevent the supply of arms and any related materiel or

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[61] S/2000/385, annex.

[62] S/2003/1098.

assistance to armed groups operating in North and South Kivu and in Ituri, and to groups not party to the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed at Pretoria on 17 December 2002;

2. *Welcomes* the recommendations contained in paragraph 72 of the fourteenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo;[62]

3. *Requests* the Mission to continue to use all means, within its capabilities, to carry out the tasks outlined in paragraph 19 of resolution 1493 (2003), and in particular to inspect, without notice as it deems it necessary, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North and South Kivu and in Ituri;

4. *Authorizes* the Mission to seize or collect, as appropriate, the arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violates the measures imposed by paragraph 20 of resolution 1493 (2003), and to dispose of such arms and related materiel as appropriate;

5. *Reiterates its demand* that all parties provide immediate, unconditional and unhindered access to Mission personnel, in accordance with paragraphs 15 and 19 of resolution 1493 (2003), to enable them to carry out the tasks outlined in paragraphs 3 and 4 above;

6. *Reiterates its condemnation* of the continuing illegal exploitation of natural resources in the Democratic Republic of the Congo, especially in the eastern part of the country, which contributes to the perpetuation of the conflict, and reaffirms the importance of bringing to an end these illegal activities, including by applying the necessary pressure on the armed groups, traffickers and all other actors involved;

7. *Urges* all States, and especially those in the region, to take the appropriate steps to end these illegal activities, including through judicial means where possible, and, if necessary, to report to the Council;

8. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all members of the Council ("the Committee"), to undertake the following tasks:

(*a*) To seek from all States, and particularly those in the region, information regarding the actions taken by them to implement effectively the measures imposed by paragraph 20 of resolution 1493 (2003) and to comply with paragraphs 18 and 24 of the same resolution, and thereafter to request from them whatever further information it may consider useful, including by providing States with an opportunity, at the request of the Committee, to send representatives to meet with the Committee for more in-depth discussion of relevant issues;

(*b*) To examine, and to take appropriate action on, information concerning alleged violations of the measures imposed by paragraph 20 of resolution 1493 (2003) and information on alleged arms flows highlighted in the reports of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, identifying, where possible, individuals and legal entities reported to be engaged in such violations, as well as aircraft or other vehicles used;

(*c*) To present regular reports to the Council on its work, with its observations and recommendations, in particular on the ways to strengthen the effectiveness of the measures imposed by paragraph 20 of resolution 1493 (2003);

(*d*) To consider the lists referred to in paragraph 10 (*g*) below with a view to submitting recommendations to the Council for possible future measures to be taken in this regard;

(*e*) To receive notifications in advance from States made under paragraph 21 of resolution 1493 (2003) and to decide, if need be, upon any action to be taken;

9. *Requests* all States, in particular those in the region, to report to the Committee, within sixty days of the date of adoption of the present resolution, on the actions that they have taken to implement the measures imposed by paragraph 20 of resolution 1493 (2003), and authorizes the Committee thereafter to request from Member States whatever further information it may consider necessary;

10. *Requests* the Secretary-General, in consultation with the Committee, to establish, within thirty days of the date of adoption of the present resolution, and for a period expiring on 28 July 2004, a group of experts consisting of no more than four members ("the Group of Experts"), having the necessary skills to perform the following mandate:

(*a*) To examine and analyse information gathered by the Mission in the context of its monitoring mandate;

(*b*) To gather and analyse all relevant information in the Democratic Republic of the Congo, countries of the region and, as necessary, in other countries, in cooperation with the Governments of those countries, on flows of arms and related materiel, as well as networks operating in violation of the measures imposed by paragraph 20 of resolution 1493 (2003);

(*c*) To consider and recommend, where appropriate, ways of improving the capabilities of interested States, in particular those of the region, to ensure that the measures imposed by paragraph 20 of resolution 1493 (2003) are effectively implemented;

(*d*) To report to the Council in writing before 15 July 2004, through the Committee, on the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003), with recommendations in this regard;

(*e*) To keep the Committee frequently updated on its activities;

(*f*) To exchange with the Mission, as appropriate, information that might be of use in the fulfilment of its monitoring mandate as described in paragraphs 3 and 4 above;

(*g*) To provide the Committee, in its reports, with a list, with supporting evidence, of those found to have violated the measures imposed by paragraph 20 of resolution 1493 (2003), and those found to have supported them in such activities, for possible future measures by the Council;

11. *Requests* the Special Representative of the Secretary-General for the Democratic Republic of the Congo to communicate, as appropriate, to the Security Council, through the Committee, information gathered by the Mission and, when possible, reviewed by the Group of Experts concerning supply of arms and related materiel to armed groups and militias and any possible presence of foreign military in the Democratic Republic of the Congo;

12. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties, to cooperate fully with the Committee and with the Group of Experts and the Mission, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraph 20 of resolution 1493 (2003);

13. *Calls upon* the international community, in particular the specialized international organizations concerned, to provide financial and technical assistance to the Government of the Democratic Republic of the Congo with a view to helping it to exercise effective control over its borders and its airspace;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4926th meeting.

Decisions

At its 4969th meeting, on 14 May 2004, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[63]

"The Security Council expresses its serious concern regarding recent reports of an incursion into the Democratic Republic of the Congo by elements of the Rwandan army.

"The Council further expresses its concern at the reports of increased military activities of the Forces démocratiques de libération du Rwanda in the eastern part of the Democratic Republic of the Congo and of incursions made by them on the territory of Rwanda.

"The Council condemns in this context any impediments to the freedom of movement of the United Nations Organization Mission in the Democratic Republic of the Congo and reaffirms its full support for the efforts of the Mission to stabilize the situation in the eastern part of the Democratic Republic of the Congo, and encourages the Mission to continue to report to it on the military situation in the eastern part of the Democratic Republic of the Congo, in accordance with its mandate.

"The Council attaches great importance to respect for the national sovereignty and territorial integrity of the Democratic Republic of the Congo, of which it condemns any violation, as well as any violation of its relevant resolutions.

"The Council also attaches great importance to respect for the national sovereignty and territorial integrity of Rwanda, and condemns any incursions of armed groups into that country.

"The Council demands that the Government of Rwanda take measures to prevent the presence of any of its troops on the territory of the Democratic Republic of the Congo.

"The Council calls upon the Governments of the Democratic Republic of the Congo and Rwanda to investigate jointly, with the assistance of the Mission, the substance of recent reports on armed incursions across their mutual border.

"The Council further calls upon both Governments to establish border security mechanisms to prevent the recurrence of such incidents.

"The Council reaffirms its support for the commitments made by the Governments of the Democratic Republic of the Congo and Rwanda in Pretoria on 27 November 2003, and urges both Governments to implement expeditiously the provisions contained in the communiqué issued on that date.

"The Council further underlines the fact that the disarmament and the demobilization of all armed groups, including in particular the ex-Forces armées rwandaises and Interahamwe combatants, are essential to the settlement of the conflict in the Democratic Republic of the Congo, and calls upon the Governments of Rwanda and the Democratic Republic of the Congo to take all necessary measures to facilitate the swift and voluntary repatriation of Rwandan combatants from the Democratic Republic of the Congo.

"The Council encourages the Governments of the Democratic Republic of the Congo and Rwanda to continue to take steps to normalize their relations. It commends, in this context, the Government of the Democratic Republic of the Congo for the efforts that led to the arrest of Mr. Yusufu Munyakazi, indicted, inter alia, on charges of genocide, and his subsequent transfer to the International Tribunal for Rwanda, and it calls upon all Member States to intensify efforts to arrest and transfer suspects sought by the Tribunal.

"The Council urges all Governments in the region to encourage the re-establishment of confidence between neighbouring countries, in accordance with the declaration of Principles on Good-neighbourly Relations and Cooperation between the Democratic Republic of the

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[63] S/PRST/2004/15.

Congo and Burundi, Rwanda and Uganda, adopted in New York by leaders of the region on 25 September 2003,[64] with a view to achieving the normalization of their relations."

At its 4985th meeting, on 7 June 2004, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[65]

> "The Security Council condemns with the utmost firmness the seizure of the town of Bukavu, on 2 June 2004, by dissident forces led by former Rassemblement congolais pour la démocratie-Goma commanders Major General Laurent Nkunda, Colonel Jules Mutebutsi and others. It also condemns atrocities and human rights violations which have occurred in this context. It declares its profound concern regarding reports of military actions that these forces have undertaken in other parts of the Democratic Republic of the Congo. It considers that all such actions constitute a serious threat to the peace process and to the transition and demands that they cease immediately.
>
> "The Council reaffirms its commitment to and respect for the national sovereignty, political independence, territorial integrity and unity of the Democratic Republic of the Congo. It expresses its solidarity with the Congolese people and its full support to the Government of National Unity and Transition. It calls for the prompt and peaceful extension of State authority throughout the Congolese territory, in particular in Bukavu.
>
> "The Council urges all parties represented in the Government of National Unity and Transition to remain fully committed to the peace process and to abstain from any action that could endanger the unity of the transitional Government.
>
> "The Council warns solemnly the States neighbouring the Democratic Republic of the Congo of the consequences of support to the armed rebel groups. It urges the Government of Rwanda, taking into account its previous relationship with the Rassemblement congolais pour la démocratie-Goma, and all other neighbouring States, to do all in their power to support the peace process and help to secure a peaceful resolution to this crisis, while at the same time refraining from any action or declaration that might impact negatively on the situation in the Democratic Republic of the Congo. It recalls the terms of its resolutions 1493 (2003) of 28 July 2003 and 1533 (2004) of 12 March 2004, especially those elements relating to regional security across the Great Lakes, and calls upon all Member States, in particular those in the region, to fulfil their responsibilities accordingly.
>
> "The Council welcomes the initiative of the Chairperson of the Commission of the African Union aimed at overcoming the current crisis, including in its human dimension, and at facilitating the successful conclusion of the peace process in the Democratic Republic of the Congo.
>
> "The Council reiterates its full support to the United Nations Organization Mission in the Democratic Republic of the Congo. It condemns the recent killing of three of the Mission's personnel. It calls upon all Congolese parties to support the work of the Mission and demands that they refrain from any hostile action against the personnel or facilities of the United Nations."

At its 4994th meeting, on 22 June 2004, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

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[64] S/2003/983, annex.

[65] S/PRST/2004/19.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[66]

> "The Security Council reiterates its grave concern at the continued violence and instability in the eastern part of the Democratic Republic of the Congo and at reports of threats to the peace and transition process. It condemns in the strongest terms any involvement by outside forces in the Democratic Republic of the Congo.
>
> "The Council urges all Congolese parties to remain fully committed to the peace process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo and to respect the Government of National Unity and Transition as the sole legitimate governing authority in the Democratic Republic of the Congo. It warns all parties against any attempt to seize power by force. It urges all parties to refrain from statements or actions which might inflame the situation, including by supporting armed elements.
>
> "The Council warns all parties against any attempt at engaging in belligerent actions or violations of the embargo imposed by resolution 1493 (2003) of 28 July 2003, in the eastern part of the Democratic Republic of the Congo. It invites the Secretary-General to determine further the need for a possible rapid reaction capability for the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council calls upon the Government of National Unity and Transition to begin work immediately with the International Committee in Support of the Transition and with the Mission to establish mechanisms for closer coordination, in order to expedite security sector reform, the adoption of essential legislation and electoral preparations.
>
> "The Council urges the Governments of the Democratic Republic of the Congo and Rwanda to respond without further delay to the efforts undertaken by the Mission under its current mandate to establish, as soon as possible, a joint verification mechanism for their common security, including verification of cross-border movements.
>
> "The Council strongly encourages the heads of State of the Democratic Republic of the Congo, Rwanda, Uganda and Burundi to work together to reduce tensions and restore confidence in the region, in accordance with the commitments made in the declaration on good-neighbourly relations of 25 September 2003,[64] including by holding meetings at the earliest possible opportunity.
>
> "The Council urges Rwanda not to provide any practical or political support to armed groups in the Democratic Republic of the Congo, in particular those led by Mr. Laurent Nkunda or Mr. Jules Mutebutsi. It further urges Rwanda to use its influence positively to de-escalate the current crisis and support the restoration of stability.
>
> "The Council reminds Uganda not to interfere in the Democratic Republic of the Congo, including through military support for armed groups.
>
> "The Council calls upon Burundi to prevent any support from its territory to armed groups in the Democratic Republic of the Congo. It encourages the Transitional Government to facilitate humanitarian assistance for Congolese refugees now in Burundi, and the international community to provide its full assistance.
>
> "The Council underlines that any attempt to disrupt the peace and transition process in the Democratic Republic of the Congo, including through support for armed groups, will not be tolerated.
>
> "The Council condemns the deaths of innocent civilians and human rights abuses in the eastern part of the Democratic Republic of the Congo and calls for such incidents to be

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[66] S/PRST/2004/21.

fully investigated. Those responsible for atrocities and human rights abuses should be held to account, and the Government of National Unity and Transition should take immediate steps, with support from the international community, to reverse the current climate of impunity."

At its 5011th meeting, on 27 July 2004, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Letter dated 15 July 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2004/551)".

Resolution 1552 (2004)
of 27 July 2004

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1493 (2003) of 28 July 2003 and 1533 (2004) of 12 March 2004,

Reiterating its concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, which perpetuates a climate of insecurity in the whole region,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to monitor closely compliance with the arms embargo imposed by its resolution 1493 (2003),

Taking note of the report and the recommendations, of 9 July 2004, of the Group of Experts referred to in paragraph 10 of resolution 1533 (2004), transmitted by the Security Council Committee established in accordance with paragraph 8 of the same resolution (hereinafter "the Committee"),[67]

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the demands set out in paragraphs 15, 18 and 19 of resolution 1493 (2003);

2. *Decides*, in the light of the failure of the parties to comply with those demands, to renew, until 31 July 2005, the provisions of paragraphs 20 to 22 of resolution 1493 (2003) and all the provisions of resolution 1533 (2004);

3. *Expresses its intention* to modify or to remove those provisions if it determines that the demands noted above have been satisfied;

4. *Decides* that it will review those measures by 1 October 2004, and periodically thereafter;

5. *Requests*, to this end, the Secretary-General, in consultation with the Committee, to re-establish, within thirty days of the date of adoption of the present resolution, and for a period expiring on 31 January 2005, the Group of Experts referred to in paragraph 10 of resolution 1533 (2004);

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[67] See S/2004/551.

6. *Requests* the Group of Experts to report to the Council in writing before 15 December 2004, through the Committee, on the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003), with recommendations in this regard, in particular regarding the lists provided for by paragraph 10 (*g*) of resolution 1533 (2004);

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5011th meeting.

Decision

At its 5014th meeting, on 29 July 2004, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1555 (2004)
of 29 July 2004

The Security Council,

Recalling its relevant resolutions and the statements by its President on the situation concerning the Democratic Republic of the Congo, in particular resolutions 1493 (2003) of 28 July 2003 and 1533 (2004) of 12 March 2004,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all the States in the region,

Reiterating its full support to the Government of National Unity and Transition of the Democratic Republic of the Congo,

Deeply concerned by the ongoing tensions and by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu, as well as in the Ituri district,

Reaffirming its readiness to support the peace and national reconciliation process, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo,

Welcoming the readiness of the Mission to take an active part in the joint verification mechanism whose creation was announced by the Presidents of the Democratic Republic of the Congo and of the Republic of Rwanda in Abuja on 25 June 2004,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

1. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo, as contained in resolutions 1493 (2003) and 1533 (2004), both adopted under Chapter VII of the Charter of the United Nations, until 1 October 2004;

2. *Requests* the Secretary-General to submit a report to the Council, before 16 August 2004, on the execution by the Mission of its mandate;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5014th meeting.

THE SITUATION BETWEEN IRAQ AND KUWAIT[68]

Decision

At its 4808th meeting, on 14 August 2003, the Security Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 24 of Security Council resolution 1483 (2003) (S/2003/715)".

Resolution 1500 (2003)
of 14 August 2003

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1483 (2003) of 22 May 2003,

Reaffirming the sovereignty and territorial integrity of Iraq,

Reaffirming also the vital role for the United Nations in Iraq which was set out in relevant paragraphs of resolution 1483 (2003),

Having considered the report of the Secretary-General of 17 July 2003,[69]

1. *Welcomes* the establishment of the broadly representative Governing Council of Iraq on 13 July 2003, as an important step towards the formation by the people of Iraq of an internationally recognized, representative government that will exercise the sovereignty of Iraq;

2. *Decides* to establish the United Nations Assistance Mission for Iraq to support the Secretary-General in the fulfilment of his mandate under resolution 1483 (2003), in accordance with the structure and responsibilities set out in his report of 17 July 2003,[69] for an initial period of twelve months;

3. *Decides also* to remain seized of this matter.

Adopted at the 4808th meeting
by 14 votes to none, with 1 abstention
(Syrian Arab Republic).

Decisions

At its 4812th meeting, on 21 August 2003, the Security Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in the Council's prior consultations, Mr. John Negroponte, Permanent Representative of the United States of America to the United Nations, and Sir Emyr Jones Parry, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, briefed the Council on the item under consideration.

On 22 August 2003, the President of the Security Council addressed the following letter to the Secretary-General:[70]

> "I have the honour to inform you that your letter dated 22 August 2003 concerning your decision to appoint, on an interim basis, Mr. Ramiro Lopes da Silva to serve as your

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[68] Resolutions or decisions on this question have been adopted by the Security Council every year since 1990.

[69] S/2003/715.

[70] S/2003/831.

acting Special Representative for Iraq[71] has been brought to the attention of the members of the Security Council. They take note of the appointment indicated in your letter."

At its 4844th meeting, on 16 October 2003, the Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1511 (2003)
of 16 October 2003

The Security Council,

Reaffirming its previous resolutions on Iraq, including resolutions 1483 (2003) of 22 May 2003 and 1500 (2003) of 14 August 2003, and its resolutions on threats to international peace and security caused by terrorist acts, including resolution 1373 (2001) of 28 September 2001, and other relevant resolutions,

Underscoring that the sovereignty of Iraq resides in the State of Iraq, reaffirming the right of the Iraqi people freely to determine their own political future and control their own natural resources, reiterating its resolve that the day when Iraqis govern themselves must come quickly, and recognizing the importance of international support, particularly that of countries in the region, Iraq's neighbours, and regional organizations, in taking forward this process expeditiously,

Recognizing that international support for the restoration of conditions of stability and security is essential to the well-being of the people of Iraq as well as to the ability of all concerned to carry out their work on behalf of the people of Iraq, and welcoming contributions by Member States in this regard under resolution 1483 (2003),

Welcoming the decision of the Governing Council of Iraq to form a preparatory constitutional committee to prepare for a constitutional conference that will draft a constitution to embody the aspirations of the Iraqi people, and urging it to complete this process quickly,

Affirming that the terrorist bombings of the Embassy of Jordan on 7 August 2003, of the United Nations headquarters in Baghdad on 19 August 2003, of the Imam Ali Mosque in Najaf on 29 August 2003 and of the Embassy of Turkey on 14 October 2003, and the murder of a Spanish diplomat on 9 October 2003 are attacks on the people of Iraq, the United Nations and the international community, and deploring the assassination of Dr. Akila al-Hashimi, who died on 25 September 2003, as an attack directed against the future of Iraq,

Recalling and reaffirming, in that context, the statement by its President of 20 August 2003[72] and its resolution 1502 (2003) of 26 August 2003,

Determining that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the sovereignty and territorial integrity of Iraq, and underscores, in that context, the temporary nature of the exercise by the Coalition Provisional Authority ("the Authority") of the specific responsibilities, authorities and obligations under applicable international law recognized and set forth in resolution 1483 (2003), which will cease when an internationally recognized, representative government established by the people of Iraq is sworn in and assumes the responsibilities of the Authority, inter alia, through steps envisaged in paragraphs 4 to 7 and 10 below;

2. *Welcomes* the positive response of the international community, in forums such as the League of Arab States, the Organization of the Islamic Conference, the United Nations General

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[71] S/2003/830.

[72] S/PRST/2003/13.

Assembly and the United Nations Educational, Scientific and Cultural Organization, to the establishment of the broadly representative Governing Council of Iraq as an important step towards an internationally recognized, representative government;

3. *Supports* the efforts of the Governing Council to mobilize the people of Iraq, including by the appointment of a cabinet of ministers and a preparatory constitutional committee to lead a process in which the Iraqi people will progressively take control of their own affairs;

4. *Determines* that the Governing Council and its ministers are the principal bodies of the Iraqi interim administration, which, without prejudice to its further evolution, embodies the sovereignty of the State of Iraq during the transitional period until an internationally recognized, representative government is established and assumes the responsibilities of the Authority;

5. *Affirms* that the administration of Iraq will be progressively undertaken by the evolving structures of the Iraqi interim administration;

6. *Calls upon* the Authority, in this context, to return governing responsibilities and authorities to the people of Iraq as soon as practicable, and requests the Authority, in cooperation, as appropriate, with the Governing Council and the Secretary-General, to report to the Security Council on the progress being made;

7. *Invites* the Governing Council to provide to the Security Council for its review, no later than 15 December 2003, in cooperation with the Authority and, as circumstances permit, the Special Representative of the Secretary-General, a timetable and a programme for the drafting of a new constitution for Iraq and for the holding of democratic elections under that constitution;

8. *Resolves* that the United Nations, acting through the Secretary-General, his Special Representative and the United Nations Assistance Mission for Iraq, should strengthen its vital role in Iraq, including by providing humanitarian relief, promoting the economic reconstruction of and conditions for sustainable development in Iraq, and advancing efforts to restore and establish national and local institutions for representative government;

9. *Requests* that, as circumstances permit, the Secretary-General pursue the course of action outlined in paragraphs 98 and 99 of his report of 17 July 2003;[69]

10. *Takes note* of the intention of the Governing Council to hold a constitutional conference and, recognizing that the convening of the conference will be a milestone in the movement to the full exercise of sovereignty, calls for its preparation through national dialogue and consensus-building as soon as practicable, and requests the Special Representative of the Secretary-General, at the time of the convening of the conference or as circumstances permit, to lend the unique expertise of the United Nations to the Iraqi people in this process of political transition, including the establishment of electoral processes;

11. *Requests* the Secretary-General to ensure that the resources of the United Nations and associated organizations are available if requested by the Governing Council and, as circumstances permit, to assist in the furtherance of the programme provided by the Governing Council under paragraph 7 above, and encourages other organizations with expertise in this area to support the Governing Council if requested;

12. *Also requests* the Secretary-General to report to the Security Council on his responsibilities under the present resolution and the development and implementation of a timetable and programme under paragraph 7 above;

13. *Determines* that the provision of security and stability is essential to the successful completion of the political process as outlined in paragraph 7 above and to the ability of the United Nations to contribute effectively to that process and to the implementation of resolution 1483 (2003), and authorizes a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including for the purpose of ensuring the necessary conditions for the implementation of the timetable and programme, as well as to contribute to the security of the United Nations Assistance Mission for

Iraq, the Governing Council and other institutions of the Iraqi interim administration, and key humanitarian and economic infrastructure;

14. *Urges* Member States to contribute assistance under this United Nations mandate, including military forces, to the multinational force referred to in paragraph 13 above;

15. *Decides* that it shall review the requirements and mission of the multinational force referred to in paragraph 13 above not later than one year from the date of adoption of the present resolution, and that in any case the mandate of the force shall expire upon the completion of the political process as described in paragraphs 4 to 7 and 10 above, and expresses its readiness to consider on that occasion any future need for the continuation of the multinational force, taking into account the views of an internationally recognized, representative government of Iraq;

16. *Emphasizes* the importance of establishing effective Iraqi police and security forces in maintaining law, order and security and combating terrorism consistent with paragraph 4 of resolution 1483 (2003), and calls upon Member States and international and regional organizations to contribute to the training and equipping of Iraqi police and security forces;

17. *Expresses its deep sympathy and condolences* for the personal losses suffered by the Iraqi people and by the United Nations and the families of those United Nations personnel and other innocent victims who were killed or injured in recent tragic attacks;

18. *Unequivocally condemns* the terrorist bombings of the Embassy of Jordan on 7 August 2003, of the United Nations headquarters in Baghdad on 19 August 2003, of the Imam Ali Mosque in Najaf on 29 August 2003 and of the Embassy of Turkey on 14 October 2003, the murder of a Spanish diplomat on 9 October 2003 and the assassination of Dr. Akila al-Hashimi, who died on 25 September 2003, and emphasizes that those responsible must be brought to justice;

19. *Calls upon* Member States to prevent the transit of terrorists to Iraq, arms for terrorists and financing that would support terrorists, and emphasizes the importance of strengthening the cooperation of the countries of the region, particularly neighbours of Iraq, in this regard;

20. *Appeals* to Member States and the international financial institutions to strengthen their efforts to assist the people of Iraq in the reconstruction and development of their economy, and urges those institutions to take immediate steps to provide their full range of loans and other financial assistance to Iraq, working with the Governing Council and appropriate Iraqi ministries;

21. *Urges* Member States and international and regional organizations to support the Iraq reconstruction effort initiated at the United Nations technical consultations of 24 June 2003, including through substantial pledges at the international donors conference to be held in Madrid on 23 and 24 October 2003;

22. *Calls upon* Member States and concerned organizations to help to meet the needs of the Iraqi people by providing resources necessary for the rehabilitation and reconstruction of Iraq's economic infrastructure;

23. *Emphasizes* that the International Advisory and Monitoring Board referred to in paragraph 12 of resolution 1483 (2003) should be established as a priority, and reiterates that the Development Fund for Iraq shall be used in a transparent manner as set out in paragraph 14 of resolution 1483 (2003);

24. *Reminds* all Member States of their obligations under paragraphs 19 and 23 of resolution 1483 (2003), in particular the obligation to immediately cause the transfer of funds, other financial assets and economic resources to the Development Fund for Iraq for the benefit of the Iraqi people;

25. *Requests* that the United States of America, on behalf of the multinational force as outlined in paragraph 13 above, report to the Security Council on the efforts and progress of this force, as appropriate and not less than every six months;

26. *Decides* to remain seized of the matter.

Adopted unanimously at the 4844th meeting.

Decisions

At its 4851st meeting, on 28 October 2003, the Security Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Benon Sevan, Executive Director of the Office of the Iraq Programme.

At its 4868th meeting, on 20 November 2003, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[73]

> "The Security Council has heard the statement by the Secretary-General[74] and has considered the briefing by the Executive Director of the Office of the Iraq Programme[75] on the termination on 21 November 2003 of the United Nations humanitarian programme for Iraq ("the Programme") and the transfer of the responsibility for the administration of any remaining activity under the Programme to the Coalition Provisional Authority in accordance with Council resolution 1483 (2003) of 22 May 2003.
>
> "The Council underlines the exceptionally important role of the Programme in providing humanitarian assistance to the people of Iraq under the regime of sanctions imposed by the Council on the previous Government of Iraq. Under this unique programme the value of humanitarian goods delivered to Iraq during the period from December 1996 to March 2003 amounted to about 30 billion United States dollars. Those deliveries made it possible to provide to the Iraqi people essential food and medicines, as well as to supply various equipment and materials for the key sectors of the Iraqi economy. Purchases under the Programme will in the next few months play a key role in the economic reconstruction of Iraq by providing vital goods in the amount of more than 6 billion United States dollars.
>
> "The Council expresses its deep gratitude to the Secretary-General, to the Office of the Iraq Programme, to United Nations personnel who worked on the ground in Iraq and to all other United Nations agencies and structures involved, and applauds their commitment and professionalism. It also thanks the chairmen and members of the Security Council Committee established by resolution 661 (1990) for their dedicated efforts to implement the Programme since its inception, and in implementing resolution 1483 (2003).
>
> "The Council emphasizes the need for continued international efforts aimed at the reconstruction of Iraq and, in this context, takes note with satisfaction of the statements made by the representatives of the United States of America and the United Kingdom of Great Britain and Northern Ireland on the measures which the Coalition Provisional Authority intends to take in order to continue the payment mechanisms and the deliveries under the Programme.[75]
>
> "The Council recognizes the important role of the United Nations in coordinating the termination of the Programme, including the transfer at the earliest possible time of all surplus funds in the escrow accounts to the Development Fund for Iraq.

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[73] S/PRST/2003/24.

[74] See S/PV.4868.

[75] See S/PV.4851.

> "The Council recalls the vital role foreseen for the United Nations in resolutions 1483 (2003), 1500 (2003) of 14 August 2003 and 1511 (2003) of 16 October 2003, as circumstances permit, inter alia, in the areas of humanitarian assistance, facilitation of economic rehabilitation and reconstruction."

On 20 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[76]

> "I have the honour to inform you that your letter dated 14 November 2003 concerning your proposal to appoint Chen Weixiong, of China, as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[77] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

On 20 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[78]

> "I have the honour to inform you that your letter dated 18 November 2003 concerning your proposal to appoint Susan F. Burk as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[79] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 4869th meeting, on 21 November 2003, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in the Council's prior consultations, Mr. John Negroponte, Permanent Representative of the United States of America to the United Nations, and Sir Emyr Jones Parry, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, briefed the Council on the item under consideration.

At its 4872nd meeting, on 24 November 2003, the Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1518 (2003)
of 24 November 2003

The Security Council,

Recalling all of its relevant resolutions,

Recalling further its earlier decision in resolution 1483 (2003) of 22 May 2003 to terminate the Security Council Committee established by resolution 661 (1990),

Stressing the importance of all Member States fulfilling their obligations under paragraph 10 of resolution 1483 (2003),

Determining that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish, with immediate effect, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to continue to identify pursuant to paragraph 19 of resolution 1483 (2003)

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[76] S/2003/1109.

[77] S/2003/1108.

[78] S/2003/1111.

[79] S/2003/1110.

individuals and entities referred to in paragraph 19 of that resolution, including by updating the list of individuals and entities that have already been identified by the Committee established pursuant to paragraph 6 of resolution 661 (1990), and to report on its work to the Council;

2. *Decides also* to adopt the guidelines[80] and definitions[81] previously agreed by the Committee established pursuant to paragraph 6 of resolution 661 (1990) to implement the provisions of paragraphs 19 and 23 of resolution 1483 (2003), and decides that the guidelines and definitions can be amended by the Committee in the light of further considerations;

3. *Decides further* that the mandate of the Committee referred to in paragraph 1 above shall be kept under review, and decides to consider the possible authorization of the additional task of observing fulfilment by Member States of their obligations under paragraph 10 of resolution 1483 (2003);

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4872nd meeting.

Decisions

At its 4883rd meeting, on 16 December 2003, the Security Council decided to invite the Minister for Foreign Affairs of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

"Report of the Secretary-General pursuant to paragraph 24 of resolution 1483 (2003) and paragraph 12 of resolution 1511 (2003) (S/2003/1149)".

At its 4884th meeting, held in private on 16 December 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4884th meeting, held in private on 16 December 2003, the Security Council considered the item entitled 'The situation between Iraq and Kuwait'.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 37 of the provisional rules of procedure of the Council to the Minister for Foreign Affairs of Iraq, Mr. Hoshyar Zebari.

"The members of the Council and the Minister for Foreign Affairs of Iraq had a constructive exchange of views."

At its 4887th meeting, on 18 December 2003, the Council decided to invite the representative of Kuwait to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

"Fourteenth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999) (S/2003/1161)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[82]

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[80] See SC/7791-IK/365 of 12 June 2003.

[81] See SC/7831-IK/372 of 29 July 2003.

[82] S/PRST/2003/28.

"The Security Council today heard a briefing from Mr. Yuli Vorontsov, the Secretary-General's High-level Coordinator, on the fourteenth report of the Secretary-General submitted in accordance with paragraph 14 of Council resolution 1284 (1999).[83]

"The Council expressed its full support towards Mr. Vorontsov and for his tireless efforts on the issues of Kuwaiti and third-country nationals and the return of all Kuwaiti property. The Council agreed that his mandate should continue in accordance with paragraph 14 of resolution 1284 (1999) of 17 December 1999.

"The Council shared the views expressed by the Secretary-General in his report. The Council has strongly condemned the killing of Kuwaiti and third-country nationals by the previous Iraqi regime in violation of international law, especially the removal from Kuwait of civilian men and women, their execution in cold blood in remote sites in Iraq and a decade-long cover-up of the truth. The Council expressed its strong hope that those responsible for these horrendous crimes would be brought to justice.

"The Council expressed its deep condolences to all of the families of the Kuwaiti and third-country nationals and expressed its continuing concern for the plight of the families of those persons whose whereabouts were still unknown.

"The Council stressed the importance of the work of the Coalition Provisional Authority, the International Committee of the Red Cross, the Tripartite Commission and its Technical Subcommittee and called upon all parties concerned to continue to work towards a satisfactory solution to all of the outstanding humanitarian aspects covered by Mr. Vorontsov's mandate.

"The Council expressed its deep regret that Kuwaiti property, including its national archives, had not yet been returned to Kuwait and encouraged the Coalition Provisional Authority and other parties concerned to continue their commitment to the search for and return of all Kuwaiti properties and archives, in accordance with paragraph 6 of resolution 1483 (2003) of 22 May 2003. The Council agreed to continue to keep Mr. Vorontsov's mandate under review and looked forward to receiving his next report."

On 13 January 2004, the President of the Security Council addressed the following letter to the Secretary-General:[84]

"I have the honour to inform you that your letter dated 8 January 2004 concerning your proposal to appoint Anatoliy Scherba as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[85] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 4897th meeting, held in private on 19 January 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4897th meeting, held in private on 19 January 2004, the Security Council considered the item entitled 'The situation between Iraq and Kuwait'.

"The President, with the consent of the Council, extended an invitation under rule 37 of the provisional rules of procedure of the Council to Dr. Adnan Pachachi, President of the Governing Council of Iraq.

"Members of the Council and the President of the Governing Council had a constructive exchange of views."

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[83] S/2003/1161.

[84] S/2004/29.

[85] S/2004/28.

At its 4914th meeting, on 24 February 2004, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in the Council's prior consultations, Mr. John Negroponte, Permanent Representative of the United States of America to the United Nations, and Sir Emyr Jones Parry, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, briefed the Council on the item under consideration.

At its 4930th meeting, on 24 March 2004, the Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 18 March 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/225)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[86]

> "The Security Council welcomes the Secretary-General's letter dated 18 March 2004 and the exchange of letters with Dr. Mohammed Bahr Al-Uloom, President of the Governing Council of Iraq for the month of March 2004, and Mr. L. Paul Bremer III, Administrator of the Coalition Provisional Authority.[87]
>
> "The Council also welcomes and strongly supports the decision of the Secretary-General to dispatch to Iraq his Special Adviser Mr. Lakhdar Brahimi and his team, as well as an electoral assistance team, as soon as possible, in order to lend assistance and advice to the Iraqi people in the formation of an interim Iraqi government to which sovereignty will be transferred on 30 June 2004, as well as in the preparations for direct elections to be held before the end of January 2005.
>
> "The Council calls upon all parties in Iraq to cooperate fully with these United Nations teams and welcomes the security and other support provided to them by the Governing Council and the Coalition Provisional Authority."

At its 4944th meeting, on 16 April 2004, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in the Council's prior consultations, Mr. John Negroponte, Permanent Representative of the United States of America to the United Nations, briefed the Council on the item under consideration.

At its 4946th meeting, on 21 April 2004, the Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1538 (2004)
of 21 April 2004

The Security Council,

Expressing the desire to see a full and fair investigation of efforts by the former Government of Iraq, including through bribery, kickbacks, surcharges on oil sales and illicit payments in regard to purchases of humanitarian goods, to evade the provisions of resolution 661 (1990) of 6 August 1990 and subsequent relevant resolutions,

Concerned by public news reports and commentaries that have called into question the administration and management of the oil-for-food programme (hereinafter "the Programme") established pursuant to resolution 986 (1995) of 14 April 1995 and subsequent relevant resolutions, including allegations of fraud and corruption,

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[86] S/PRST/2004/6.

[87] See S/2004/225.

Affirming that any illicit activity by United Nations officials, personnel and agents, as well as contractors, including entities that have entered into contracts under the Programme, is unacceptable,

Emphasizing the importance of full cooperation with the independent high-level inquiry by all United Nations officials and personnel, the Coalition Provisional Authority, Iraq and all other Member States,

Affirming the letter of its President of 31 March 2004 welcoming the decision of the Secretary-General to create an independent high-level inquiry to investigate the administration and management of the Programme, and taking note of the details relating to its organization and terms of reference,

1. *Welcomes* the appointment of the independent high-level inquiry;

2. *Calls upon* the Coalition Provisional Authority, Iraq and all other Member States, including their national regulatory authorities, to cooperate fully by all appropriate means with the inquiry;

3. *Looks forward* to receiving the final report of the inquiry;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4946th meeting.

Decisions

At its 4952nd meeting, on 27 April 2004, the Security Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lakhdar Brahimi, Special Adviser to the Secretary-General on Iraq.

At its 4953rd meeting, on 27 April 2004, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[88]

> "The Security Council welcomes with appreciation the comprehensive briefing provided by the Special Adviser to the Secretary-General on Iraq, Mr. Lakhdar Brahimi.[89]
>
> "Recalling the statement by its President of 24 March 2004,[86] the Council considers the efforts of the Special Adviser and his team as well as those of the United Nations electoral assistance team to be of particular importance and urgency.
>
> "The Council strongly supports the efforts and the dedication of the Special Adviser and welcomes the provisional ideas that he has submitted as a basis for the formation of an interim Iraqi government to which sovereignty will be transferred on 30 June 2004.
>
> "The Council encourages the Secretary-General and his Special Adviser to continue diligently with the efforts that they are employing and welcomes the intention of the Special Adviser to return to Iraq shortly, and looks forward to a further briefing upon his return.

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[88] S/PRST/2004/11.

[89] See S/PV.4952.

"The Council calls upon all Iraqi parties to cooperate fully with the Special Adviser, and also calls upon Iraq's neighbours and the international community at large to lend all possible support to these efforts."

At its 4971st meeting, on 19 May 2004, the Council considered the item entitled "The situation between Iraq and Kuwait".

At the same meeting, in accordance with the understanding reached in the Council's prior consultations, Mr. James Cunningham, Deputy Permanent Representative of the United States of America to the United Nations, and Sir Emyr Jones Parry, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, briefed the Council on the item under consideration.

At its 4982nd meeting, on 3 June 2004, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait".

At its 4984th meeting, on 7 June 2004, the Council considered the item discussed at the 4982nd meeting.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lakhdar Brahimi, Special Adviser to the Secretary-General on Iraq.

At its 4987th meeting, on 8 June 2004, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait".

Resolution 1546 (2004)
of 8 June 2004

The Security Council,

Welcoming the beginning of a new phase in Iraq's transition to a democratically elected government, and looking forward to the end of the occupation and the assumption of full responsibility and authority by a fully sovereign and independent Interim Government of Iraq by 30 June 2004,

Recalling all of its relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own natural resources,

Recognizing the importance of international support, particularly that of countries in the region, Iraq's neighbours, and regional organizations, for the people of Iraq in their efforts to achieve security and prosperity, and noting that the successful implementation of the present resolution will contribute to regional stability,

Welcoming the efforts of the Special Adviser to the Secretary-General to assist the people of Iraq in achieving the formation of the Interim Government of Iraq, as set out in the letter dated 7 June 2004 from the Secretary-General addressed to the President of the Security Council,[90]

Taking note of the dissolution of the Governing Council of Iraq, and welcoming the progress made in implementing the arrangements for Iraq's political transition referred to in resolution 1511 (2003) of 16 October 2003,

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[90] S/2004/461.

Welcoming the commitment of the Interim Government of Iraq to work towards a federal, democratic, pluralist and unified Iraq, in which there is full respect for political and human rights,

Stressing the need for all parties to respect and protect the archaeological, historical, cultural and religious heritage of Iraq,

Affirming the importance of the rule of law, national reconciliation, respect for human rights, including the rights of women, fundamental freedoms, and democracy, including free and fair elections,

Recalling the establishment of the United Nations Assistance Mission for Iraq on 14 August 2003, and affirming that the United Nations should play a leading role in assisting the Iraqi people and government in the formation of institutions for representative government,

Recognizing that international support for the restoration of stability and security is essential to the well-being of the people of Iraq as well as to the ability of all concerned to carry out their work on behalf of the people of Iraq, and welcoming contributions by Member States in this regard under resolution 1483 (2003) of 22 May 2003 and resolution 1511 (2003),

Recalling the report provided by the United States of America to the Security Council on 16 April 2004 on the efforts and progress made by the multinational force,[91]

Recognizing the request, conveyed in the letter dated 5 June 2004 from the Prime Minister of the Interim Government of Iraq addressed to the President of the Security Council, which is annexed to the present resolution, to retain the presence of the multinational force,

Recognizing also the importance of the consent of the sovereign Government of Iraq for the presence of the multinational force and of close coordination between the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq in support of the political transition, especially for upcoming elections, and to provide security for the United Nations presence in Iraq, as described in the letter dated 5 June 2004 from the Secretary of State of the United States of America addressed to the President of the Security Council, which is annexed to the present resolution,

Noting the commitment of all forces promoting the maintenance of security and stability in Iraq to act in accordance with international law, including obligations under international humanitarian law, and to cooperate with relevant international organizations,

Affirming the importance of international assistance in the reconstruction and development of the Iraqi economy,

Recognizing the benefits to Iraq of the immunities and privileges enjoyed by Iraqi oil revenues and by the Development Fund for Iraq, and noting the importance of providing for continued disbursements of that fund by the Interim Government of Iraq and its successors upon the dissolution of the Coalition Provisional Authority,

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Endorses* the formation of a sovereign Interim Government of Iraq, as presented on 1 June 2004, which will assume full responsibility and authority by 30 June 2004 for governing Iraq while refraining from taking any actions affecting Iraq's destiny beyond the limited interim period until an elected Transitional Government of Iraq assumes office as envisaged in paragraph 4 below;

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[91] See S/PV.4944.

2. *Welcomes* the fact that, also by 30 June 2004, the occupation will end and the Coalition Provisional Authority will cease to exist, and that Iraq will reassert its full sovereignty;

3. *Reaffirms* the right of the Iraqi people freely to determine their own political future and to exercise full authority and control over their financial and natural resources;

4. *Endorses* the proposed timetable for Iraq's political transition to democratic government, including:

(*a*) The formation of the sovereign Interim Government of Iraq that will assume governing responsibility and authority by 30 June 2004;

(*b*) The convening of a national conference reflecting the diversity of Iraqi society;

(*c*) The holding of direct democratic elections, by 31 December 2004 if possible, and in no case later than 31 January 2005, to a Transitional National Assembly, which will, inter alia, have responsibility for forming a Transitional Government of Iraq and drafting a permanent constitution for Iraq leading to a constitutionally elected government by 31 December 2005;

5. *Invites* the Government of Iraq to consider how the convening of an international meeting could support the above-mentioned process, and notes that it would welcome such a meeting to support the Iraqi political transition and Iraqi recovery, to the benefit of the Iraqi people and in the interest of stability in the region;

6. *Calls upon* all Iraqis to implement these arrangements peaceably and in full, and calls upon all States and relevant organizations to support such implementation;

7. *Decides* that, in implementing, as circumstances permit, their mandate to assist the Iraqi people and government, the Special Representative of the Secretary-General and the United Nations Assistance Mission for Iraq, as requested by the Government of Iraq, shall:

(*a*) Play a leading role:

(i) To assist in the convening, during the month of July 2004, of a national conference to select a Consultative Council;

(ii) To advise and support the Independent Electoral Commission of Iraq, as well as the Interim Government of Iraq and the Transitional National Assembly, in the process for holding elections;

(iii) To promote national dialogue and consensus-building on the drafting of a national constitution by the people of Iraq;

(*b*) And also:

(i) To advise the Government of Iraq in the development of effective civil and social services;

(ii) To contribute to the coordination and delivery of reconstruction, development and humanitarian assistance;

(iii) To promote the protection of human rights, national reconciliation and judicial and legal reform in order to strengthen the rule of law in Iraq;

(iv) To advise and assist the Government of Iraq on initial planning for the eventual conduct of a comprehensive census;

8. *Welcomes* ongoing efforts by the incoming Interim Government of Iraq to develop Iraqi security forces including the Iraqi armed forces (hereinafter referred to as "Iraqi security forces"), operating under the authority of the Interim Government of Iraq and its successors, which will play a progressively greater role and ultimately assume full responsibility for the maintenance of security and stability in Iraq;

9. *Notes* that the presence of the multinational force in Iraq is at the request of the incoming Interim Government of Iraq, and therefore reaffirms the authorization for the multinational force under unified command established under resolution 1511 (2003), having regard to the letters annexed to the present resolution;

10. *Decides* that the multinational force shall have the authority to take all necessary measures to contribute to the maintenance of security and stability in Iraq in accordance with the letters annexed to the present resolution expressing, inter alia, the Iraqi request for the continued presence of the multinational force and setting out its tasks, including by preventing and deterring terrorism, so that, inter alia, the United Nations can fulfil its role in assisting the Iraqi people as outlined in paragraph 7 above and the Iraqi people can implement freely and without intimidation the timetable and programme for the political process and benefit from reconstruction and rehabilitation activities;

11. *Welcomes*, in this regard, the letters annexed to the present resolution stating, inter alia, that arrangements are being put in place to establish a security partnership between the sovereign Government of Iraq and the multinational force and to ensure coordination between the two, and notes also in this regard that Iraqi security forces are responsible to appropriate Iraqi ministers, that the Government of Iraq has the authority to commit Iraqi security forces to the multinational force to engage in operations with it, and that the security structures described in the letters will serve as the forums for the Government of Iraq and the multinational force to reach agreement on the full range of fundamental security and policy issues, including policy on sensitive offensive operations, and will ensure full partnership between Iraqi security forces and the multinational force, through close coordination and consultation;

12. *Decides* that the mandate of the multinational force shall be reviewed at the request of the Government of Iraq or twelve months from the date of adoption of the present resolution, and that this mandate shall expire upon the completion of the political process set out in paragraph 4 above, and declares that it will terminate this mandate earlier if requested by the Government of Iraq;

13. *Notes* the intention, set out in the letter from the Secretary of State of the United States of America annexed to the present resolution, to create a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq, recognizes that the implementation of measures to provide security for staff members of the United Nations system working in Iraq would require significant resources, and calls upon Member States and relevant organizations to provide such resources, including contributions to that entity;

14. *Recognizes* that the multinational force will also assist in building the capability of the Iraqi security forces and institutions, through a programme of recruitment, training, equipping, mentoring and monitoring;

15. *Requests* Member States and international and regional organizations to contribute assistance to the multinational force, including military forces, as agreed with the Government of Iraq, to help to meet the needs of the Iraqi people for security and stability, humanitarian and reconstruction assistance, and to support the efforts of the United Nations Assistance Mission for Iraq;

16. *Emphasizes* the importance of developing effective Iraqi police, border enforcement and the Facilities Protection Service, under the control of the Interior Ministry of Iraq, and, in the case of the Facilities Protection Service, other Iraqi ministries, for the maintenance of law, order and security, including combating terrorism, and requests Member States and international organizations to assist the Government of Iraq in building the capability of those Iraqi institutions;

17. *Condemns* all acts of terrorism in Iraq, reaffirms the obligations of Member States under resolutions 1373 (2001) of 28 September 2001, 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1390 (2002) of 16 January 2002, 1455 (2003) of 17 January 2003 and 1526 (2004) of 30 January 2004 and other relevant international obligations with

respect, inter alia, to terrorist activities in and from Iraq or against its citizens, and specifically reiterates its call upon Member States to prevent the transit of terrorists to and from Iraq, arms for terrorists and financing that would support terrorists, and re-emphasizes the importance of strengthening the cooperation of the countries of the region, particularly neighbours of Iraq, in this regard;

18. *Recognizes* that the Interim Government of Iraq will assume the primary role in coordinating international assistance to Iraq;

19. *Welcomes* efforts by Member States and international organizations to respond in support of requests by the Interim Government of Iraq to provide technical and expert assistance while Iraq is rebuilding administrative capacity;

20. *Reiterates its request* that Member States, international financial institutions and other organizations strengthen their efforts to assist the people of Iraq in the reconstruction and development of the Iraqi economy, including by providing international experts and necessary resources through a coordinated programme of donor assistance;

21. *Decides* that the prohibitions related to the sale or supply to Iraq of arms and related materiel under previous resolutions shall not apply to arms or related materiel required by the Government of Iraq or the multinational force to serve the purposes of the present resolution, stresses the importance for all States to abide strictly by them, and notes the significance of Iraq's neighbours in this regard, and calls upon both the Government of Iraq and the multinational force to ensure that appropriate implementation procedures are in place;

22. *Notes* that nothing in paragraph 21 above affects the prohibitions on or obligations of States related to items specified in paragraphs 8 and 12 of resolution 687 (1991) of 3 April 1991 or activities described in paragraph 3 (*f*) of resolution 707 (1991) of 15 August 1991, and reaffirms its intention to revisit the mandates of the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency;

23. *Calls upon* Member States and international organizations to respond to Iraqi requests to assist Iraqi efforts to integrate Iraqi veterans and former militia members into Iraqi society;

24. *Notes* that, upon the dissolution of the Coalition Provisional Authority, the funds in the Development Fund for Iraq shall be disbursed solely at the direction of the Government of Iraq, and decides that the Development Fund for Iraq shall be utilized in a transparent and equitable manner and through the Iraqi budget, including to satisfy outstanding obligations against the Development Fund for Iraq, that the arrangements for the depositing of proceeds from export sales of petroleum, petroleum products and natural gas established in paragraph 20 of resolution 1483 (2003) shall continue to apply, that the International Advisory and Monitoring Board shall continue its activities in monitoring the Development Fund for Iraq and shall include as an additional full voting member a duly qualified individual designated by the Government of Iraq, and that appropriate arrangements shall be made for the continuation of deposits of the proceeds referred to in paragraph 21 of resolution 1483 (2003);

25. *Decides* that the provisions in paragraph 24 above for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board shall be reviewed at the request of the Transitional Government of Iraq or twelve months from the date of adoption of the present resolution, and shall expire upon the completion of the political process set out in paragraph 4 above;

26. *Decides also* that, in connection with the dissolution of the Coalition Provisional Authority, the Interim Government of Iraq and its successors shall assume the rights, responsibilities and obligations relating to the oil-for-food programme that were transferred to the Authority, including all operational responsibility for the programme and any obligations undertaken by the Authority in connection with such responsibility, and responsibility for ensuring independently authenticated confirmation that goods have been delivered, and further decides that, following a transition period of one hundred and twenty days from the date of adoption of the

present resolution, the Interim Government of Iraq and its successors shall assume responsibility for certifying delivery of goods under previously prioritized contracts, and that such certification shall be deemed to constitute the independent authentication required for the release of funds associated with such contracts, consulting as appropriate to ensure the smooth implementation of these arrangements;

27. *Decides further* that the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply, except that the privileges and immunities provided in that paragraph shall not apply with respect to any final judgement arising out of a contractual obligation entered into by Iraq after 30 June 2004;

28. *Welcomes* the commitments of many creditors, including those of the Paris Club, to identify ways to reduce substantially Iraq's sovereign debt, calls upon Member States, as well as international and regional organizations, to support the Iraq reconstruction effort, urges the international financial institutions and bilateral donors to take the immediate steps necessary to provide their full range of loans and other financial assistance and arrangements to Iraq, recognizes that the Interim Government of Iraq will have the authority to conclude and implement such agreements and other arrangements as may be necessary in this regard, and requests creditors, institutions and donors to work as a priority on these matters with the Interim Government of Iraq and its successors;

29. *Recalls* the continuing obligations of Member States to freeze and transfer certain funds, assets and economic resources to the Development Fund for Iraq in accordance with paragraphs 19 and 23 of resolution 1483 (2003) and with resolution 1518 (2003) of 24 November 2003;

30. *Requests* the Secretary-General to report to the Council within three months of the date of adoption of the present resolution on the operations in Iraq of the United Nations Assistance Mission for Iraq, and on a quarterly basis thereafter on the progress made towards national elections and the fulfilment of all the responsibilities of the Mission;

31. *Requests* that the United States of America, on behalf of the multinational force, report to the Council within three months of the date of the present resolution on the efforts and progress of the force, and on a quarterly basis thereafter;

32. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4987th meeting.

Annex

Text of letters from the Prime Minister of the Interim Government of Iraq, Dr. Ayad Allawi, and the Secretary of State of the United States of America, Mr. Colin L. Powell, addressed to the President of the Security Council

Letter dated 5 June 2004 from the Prime Minister of the Interim Government of Iraq, Dr. Ayad Allawi

On my appointment as Prime Minister of the Interim Government of Iraq, I am writing to express the commitment of the people of Iraq to complete the political transition process to establish a free and democratic Iraq and to be a partner in preventing and combating terrorism. As we enter a critical new stage, regain full sovereignty and move towards elections, we will need the assistance of the international community.

The Interim Government of Iraq will make every effort to ensure that these elections are fully democratic, free and fair. Security and stability continue to be essential to our political transition. There continue, however, to be forces in Iraq, including foreign elements, that are opposed to our transition to peace, democracy and security. The Government is determined to overcome these forces and to develop security forces capable of providing adequate security for the Iraqi people. Until we are able to provide security for ourselves, including the defence of Iraq's land, sea and air space, we ask for the support of the Security Council and the internatio community in this endeavour. We seek a new resolution on the Multinational Force mandate contribute to maintaining security in Iraq, including through the tasks and arrangements set ou the letter from Secretary of State Colin Powell to the President of the Security Council. T Government requests that the Security Council review the mandate of the MNF at the request the Transitional Government of Iraq, or twelve months from the date on which such a resolutio adopted.

In order to discharge the Iraqi Government's responsibility for security, I intend to establ appropriate security structures that will allow my Government and Iraqi security forces progressively take on that responsibility. One such structure is the Ministerial Committee National Security, consisting of myself as the Chair, the Deputy Prime Minister and the Minist for Defence, the Interior, Foreign Affairs, Justice and Finance. The National Security Advisor a Director of the Iraqi National Intelligence Service will serve as permanent advisory members the Committee. This forum will set the broad framework for Iraqi security policy. I intend invite, as appropriate, the MNF commander, his deputy or the MNF commander's designa representative, and other appropriate individuals, to attend and participate as well, and will sta ready to discuss mechanisms of coordination and cooperation with the MNF. Iraqi armed for will be responsible to the Chief of Staff and Minister for Defence. Other security forces (the Ir police, border guards and the Facilities Protection Service) will be responsible to the Minister the Interior or other government ministers.

In addition, the relevant ministers and I will develop further mechanisms for coordinati with the MNF. I intend to create with the MNF coordination bodies at the national, regional a local levels that will include Iraqi security forces' commanders and civilian leadership, to ensu that Iraqi security forces will coordinate with the MNF on all security policy and operations issu in order to achieve unity of command of military operations in which Iraqi forces are engag with the MNF. In addition, the MNF and Iraqi government leaders will keep each other inform of their activities, consult regularly to ensure effective allocation and use of personnel, resourc and facilities, will share intelligence and will refer issues up the respective chains of comma where necessary. Iraqi security forces will take on progressively greater responsibility as Ira capabilities improve.

The structures I have described in this letter will serve as the forums for the MNF and t Iraqi government to reach agreement on the full range of fundamental security and policy issu including policy on sensitive offensive operations, and will ensure full partnership between Ira forces and the MNF, through close coordination and consultation. Since these are sensitive issu for a number of sovereign governments, including Iraq and the United States of America, th need to be resolved within the framework of a mutual understanding on our strategic partnershi We will be working closely with the MNF leadership in the coming weeks to ensure that we hav such an agreed strategic framework.

We are ready to take sovereign responsibility for governing Iraq by 30 June. We are we aware of the difficulties facing us, and of our responsibilities to the Iraqi people. The stakes a great, and we need the support of the international community to succeed. We ask the Securi Council to help us by acting now to adopt a Security Council resolution giving us the necessar support.

I understand that the co-sponsors intend to annex this letter to the resolution on Iraq und consideration. In the meantime, I request that you provide copies of this letter to members of th Council as quickly as possible.

Letter dated 5 June 2004 from the Secretary of State of the United States of America, Mr. Colin L. Powell

Recognizing the request of the government of Iraq for the continued presence of th Multinational Force in Iraq, and following consultations with Prime Minister Ayad Allawi of th Iraqi Interim Government, I am writing to confirm that the MNF under unified command i prepared to continue to contribute to the maintenance of security in Iraq, including by preventing and deterring terrorism and protecting the territory of Iraq. The goal of the MNF will be to help the Iraqi people to complete the political transition and will permit the United Nations and the international community to work to facilitate Iraq's reconstruction.

The ability of the Iraqi people to achieve their goals will be heavily influenced by the security situation in Iraq. As recent events have demonstrated, continuing attacks by insurgents, including former regime elements, foreign fighters and illegal militias challenge all those who are working for a better Iraq.

The development of an effective and cooperative security partnership between the MNF and the sovereign Government of Iraq is critical to the stability of Iraq. The commander of the MNF will work in partnership with the sovereign Government of Iraq in helping to provide security while recognizing and respecting its sovereignty. To that end, the MNF stands ready to participate in discussions of the Ministerial Committee for National Security on the broad framework of security policy, as referred to in the letter dated 5 June 2004 from Prime Minister Allawi of the Interim Government of Iraq. On the implementation of this policy, recognizing that Iraqi security forces are responsible to the appropriate Iraqi ministers, the MNF will coordinate with Iraqi security forces at all levels – national, regional and local – in order to achieve unity of command of military operations in which Iraqi forces are engaged with the MNF. In addition, the MNF and the Iraqi government leaders will keep each other informed of their activities, consult regularly to ensure effective allocation and use of personnel, resources and facilities, will share intelligence and will refer issues up the respective chains of command where necessary. We will work in the forums described by Prime Minister Allawi in his letter dated 5 June 2004 to reach agreement on the full range of fundamental security and policy issues, including policy on sensitive offensive operations, and will ensure full partnership between MNF and Iraqi forces, through close coordination and consultation.

Under the agreed arrangement, the MNF stands ready to continue to undertake a broad range of tasks to contribute to the maintenance of security and to ensure force protection. These include activities necessary to counter ongoing security threats posed by forces seeking to influence Iraq's political future through violence. This will include combat operations against members of these groups, internment where this is necessary for imperative reasons of security, and the continued search for and securing of weapons that threaten Iraq's security. A further objective will be to train and equip Iraqi security forces that will increasingly take responsibility for maintaining Iraq's security. The MNF also stands ready as needed to participate in the provision of humanitarian assistance, civil affairs support, and relief and reconstruction assistance requested by the Iraqi Interim Government and in line with previous Security Council resolutions.

In addition, the MNF is prepared to establish or support a force within the MNF to provide for the security of personnel and facilities of the United Nations. We have consulted closely with United Nations officials regarding the United Nations' security requirements and believe that a brigade-size force will be needed to support the United Nations' security effort. This force will be under the command and control of the MNF commander, and its missions will include static and perimeter security at United Nations facilities and convoy escort duties for the United Nations mission's travel requirements.

In order to continue to contribute to security, the MNF must continue to function under a framework that affords the force and its personnel the status that they need to accomplish their mission, and in which the contributing States have responsibility for exercising jurisdiction over their personnel and which will ensure arrangements for, and use of assets by, the MNF. The existing framework governing these matters is sufficient for these purposes. In addition, the forces that make up the MNF are and will remain committed at all times to act consistently with their obligations under the law of armed conflict, including the Geneva Conventions.

The MNF is prepared to continue to pursue its current efforts to assist in providing a secure environment in which the broader international community is able to fulfil its important role in facilitating Iraq's reconstruction. In meeting these responsibilities in the period ahead, we will act in full recognition of and respect for Iraqi sovereignty. We look to other Member States and international and regional organizations to assist the people of Iraq and the sovereign Iraqi government in overcoming the challenges that lie ahead to build a democratic, secure and prosperous country.

The co-sponsors intend to annex this letter to the resolution on Iraq under consideration. In the meantime, I request that you provide copies of this letter to members of the Council as quickly as possible.

Decision

On 13 July 2004, the President of the Security Council addressed the following letter to the Secretary-General:[92]

> "I have the honour to inform you that your letter dated 12 July 2004 concerning your intention to appoint Ashraf Jehangir Qazi, of Pakistan, as your new Special Representative for Iraq[93] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[94]

Decisions

At its 4809th meeting, on 18 August 2003, the Security Council decided to invite the representative of Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> "Letter dated 14 August 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia and Montenegro to the United Nations addressed to the President of the Security Council (S/2003/815)".

At its 4823rd meeting, on 12 September 2003, the Council decided to invite the representatives of Albania, Italy and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4853rd meeting, on 30 October 2003, the Council decided to invite the representatives of Albania, Italy, Japan, Serbia and Montenegro and Ukraine to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

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[92] S/2004/564.

[93] S/2004/563.

[94] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

> "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/996)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

At its 4880th meeting, on 12 December 2003, the Council decided to invite the representative of Serbia and Montenegro to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[95]

> "The Security Council welcomes the launching of a review mechanism, under the auspices of the Special Representative of the Secretary-General, as presented on 5 November 2003 in Priština and Belgrade, on the initiative of the Contact Group (France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with representatives from the European Union), giving new momentum to the implementation of the 'standards before status' policy that was designed for Kosovo, Serbia and Montenegro, and endorsed by the Council in application of its resolution 1244 (1999) of 10 June 1999.
>
> "The Council recalls the eight standards, namely, functioning democratic institutions, rule of law, freedom of movement, returns and reintegration, economy, property rights, dialogue with Belgrade, and the Kosovo Protection Corps. The Council in this respect urges the Provisional Institutions of Self-Government to participate fully and constructively in the working groups within the framework of the direct dialogue with Belgrade on practical issues of mutual interest to demonstrate their commitment to the process.
>
> "The Council supports the 'standards for Kosovo' document presented on 10 December 2003.[96] The Council awaits an implementation plan, to be finalized by the Special Representative of the Secretary-General in his continuing consultation with the Provisional Institutions of Self-Government, and other relevant parties as appropriate, and submitted to the Council. The plan should serve as a basis for the assessment of the progress of the Provisional Institutions of Self-Government in meeting the standards.
>
> "The Council takes note of the fact that the Special Representative of the Secretary-General, within his authority as set out in resolution 1244 (1999), inter alia, in the context of the review mechanism, will continue to consult closely with interested parties, in particular the Contact Group. The Council reaffirms its intention to continue to consider the regular reports of the Secretary-General, including an assessment by the Special Representative, as to the progress of the Provisional Institutions of Self-Government towards meeting the standards. The Council takes note of the fact that the Contact Group intends to make a substantive contribution to the regular reviews and to submit its assessments to the Special Representative.
>
> "The Council supports the prospect of a comprehensive review of the progress of the Provisional Institutions of Self-Government in meeting the standards. The Council notes that, depending on progress made as assessed during the periodical review, a first opportunity for such a comprehensive review should occur around mid-2005. Reaffirming the 'standards before status' policy, the Council stresses that further advancement towards a

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[95] S/PRST/2003/26.

[96] See UNMIK/PR/1078.

process to determine the future status of Kosovo in accordance with resolution 1244 (1999) will depend on the positive outcome of this comprehensive review. The Council reiterates the primacy of the regulations promulgated by the Special Representative of the Secretary-General and subsidiary instruments as the law applicable in Kosovo.

"The Council reaffirms its full support to the Special Representative of the Secretary-General, Mr. Harri Holkeri, and calls upon the Provisional Institutions of Self-Government of Kosovo and all concerned to cooperate fully with him."

At its 4886th meeting, on 17 December 2003, the Council decided to invite the representatives of Albania, Italy and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4910th meeting, on 6 February 2004, the Council decided to invite the representatives of Albania, Ireland and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/71)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

At its 4928th meeting, on 18 March 2004, the Council decided to invite the representatives of Albania, Ireland, Japan, Jordan, Serbia and Montenegro and the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Letter dated 17 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia and Montenegro to the United Nations addressed to the President of the Security Council (S/2004/220)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[97]

> "The Security Council strongly condemns the large-scale inter-ethnic violence in Kosovo, Serbia and Montenegro, that began yesterday and in which many people have been killed and hundreds injured. It also strongly condemns the attacks on the troops of the Kosovo Force and the personnel and sites of the United Nations Interim Administration Mission in Kosovo. Such violence is unacceptable and must stop immediately. Those responsible must be brought to justice. The perpetrators must understand that an attack on the international presence is an attack on the international community as a whole and that extremism has no role in Kosovo's future.

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[97] S/PRST/2004/5.

"The Council calls upon all communities in Kosovo, taking into account their respective responsibilities, to stop all acts of violence, to avoid further escalation and to restore calm. The Council urges the parties to refrain from irresponsible and inflammatory statements and accusations. The Council reiterates that the population in Kosovo must employ peaceful, democratic means and work through the recognized and legitimate channels, including the United Nations and the structures of the Provisional Institutions of Self-Government, to address their grievances. It stresses that legal investigations by the authorities in Kosovo, in particular into the incidents involving the shooting of a Kosovo Serb teenager in Pristina and the deaths of three Kosovo Albanian children in Mitrovica, are under way, and calls for thorough investigations of all other incidents.

"The Council deplores the reported deaths and injuries among the population of Kosovo as well as casualties among the Kosovo Police Service, the international civilian police of the United Nations Interim Administration Mission in Kosovo and the troops of the Kosovo Force. The Council extends its condolences to the families of all the victims.

"The Council reiterates the urgent need for the authorities in Kosovo to take effective steps to enforce the rule of law, ensure proper security for all ethnic communities and bring to justice all the perpetrators of criminal acts. The establishment of a multi-ethnic, tolerant, democratic society in a stable Kosovo remains the fundamental objective of the international community in implementing Council resolution 1244 (1999) of 10 June 1999. The Council will closely monitor the implementation by the parties of their obligations according to the 'standards for Kosovo' document.[96]

"The Council expresses its full support for the efforts of the Special Representative of the Secretary-General, the United Nations Interim Administration Mission in Kosovo and the Kosovo Force, and welcomes the fact that the international security presence is continuing to undertake additional measures, as deemed necessary, to stabilize the situation throughout Kosovo. It calls upon the Provisional Institutions of Self-Government, the authorities in Belgrade and all concerned to cooperate fully. The Council takes note of the joint statement of the Special Representative, the Provisional Institutions of Self-Government, political leaders and others of 17 March 2004."[98]

At its 4942nd meeting, on 13 April 2004, the Council decided to invite the representatives of Albania, Ireland, Japan and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4960th meeting, on 30 April 2004, the Council decided to invite the representative of Serbia and Montenegro to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[99]

"The Security Council notes that the presentation of the Kosovo Standards Implementation Plan[100] on 31 March 2004 at Pristina in Kosovo, Serbia and Montenegro, is a step forward in the standards process. The Council reiterates that the Implementation Plan should serve as a basis for the assessment of the progress of the Provisional Institutions of

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[98] See UNMIK/PR/1141.

[99] S/PRST/2004/13.

[100] Available from www.unmikonline.org.

Self-Government in meeting the standards. The Council in this respect urges strongly the Provisional Institutions of Self-Government to demonstrate their full and unconditional commitment to a multi-ethnic Kosovo, in particular with respect to the promotion and protection of the rights of members of the minority communities as well as of human rights, equal security, freedom of movement and sustainable returns for all inhabitants of Kosovo. The Council reiterates further that the progress by the Provisional Institutions of Self-Government in meeting the standards, which should be reflected throughout Kosovo, will be assessed periodically and that the advancement towards a process to determine the future status of Kosovo in accordance with resolution 1244 (1999) of 10 June 1999 will depend on the positive outcome of a comprehensive review.

"The Council reaffirms its full support for the 'standards before status' policy that was devised for Kosovo and endorsed by the Council in application of its resolution 1244 (1999). It recalls in this context the 'standards for Kosovo' document presented on 10 December 2003[96] and subsequently supported by the Council in the statement by its President of 12 December 2003,[95] which outlined the standards that are to be achieved in order to reach the goal of establishing in Kosovo a multi-ethnic, stable and democratic society.

"The Council stresses that it is essential, as indicated in the Implementation Plan, to review and revise in a timely manner two key sections of the document, namely 'sustainable returns and the rights of communities and their members' and 'freedom of movement'. The Council calls upon the Provisional Institutions of Self-Government to take urgent steps on these two standards in order to rebuild and reach out to the Serb and other communities who suffered most in the large-scale inter-ethnic violence of 17 to 20 March 2004 that resulted in many dead and wounded and the destruction of personal property and Serbian Orthodox churches and monasteries in Kosovo.

"The Council, strongly condemning those events, emphasizes that no party can be allowed to profit or to advance a political agenda through violent measures. It calls upon the Provisional Institutions of Self-Government and all political leaders to take responsibility in the current situation and to ensure that such acts and threats of violence are not repeated. The Council underscores that immediate actions should be taken aimed at the establishment of and public respect for the rule of law, including prosecution of perpetrators, effective collection of illegal weapons and combating organized crime. The Council urges the Provisional Institutions of Self-Government to take concrete steps to fulfil their commitment to rebuild multi-ethnicity and reconciliation throughout Kosovo, as promised in the open letter of institutional and political leaders of 2 April 2004. The Council asserts further that, in addition, there must be rapid steps taken by the Provisional Institutions of Self-Government to fulfil their commitment to rebuild or provide appropriate compensation for damaged or destroyed property and to rebuild holy sites and to facilitate the return of those displaced from their homes.

"When assessing the progress made by the Provisional Institutions of Self-Government, the Council would pay particular attention to the adoption and the implementation of laws and regulations, policies and attitudes of the Provisional Institutions of Self-Government, among others, in the following areas: the fight against discrimination, corruption and economic crime, the propagation of hate by the media, as well as the support for multi-ethnicity and reconciliation, genuine devolution, orderly and sustainable returns, effective functioning of the Assembly and of the political parties, disciplinary procedures for the civil service, building-up of a professional, politically neutral and multi-ethnic administration, at the central and local levels, with a view to providing public services to every community on an equal footing, an efficient strategy for the return of refugees and internally displaced persons in safe conditions, a constructive engagement with the United Nations Interim Administration Mission in Kosovo, and full participation in the direct dialogue with Belgrade.

"The Council underlines the importance that the Special Representative of the Secretary-General, within his authority as set out in resolution 1244 (1999), inter alia, in the context of the review mechanism, continue to consult closely with interested parties, in particular the Contact Group. The Council reaffirms its intention to continue to consider the regular reports of the Secretary-General, including an assessment by the Special Representative, as to the progress of the Provisional Institutions of Self-Government towards meeting the standards. The Council takes note of the fact that the Contact Group intends to make a substantive contribution to the regular reviews and to submit its assessments to the Special Representative.

"The Council requests the Secretary-General, in his next report to the Council, to include a comprehensive assessment of the violence of 17 to 20 March 2004.

"The Council also requests the Secretary-General to present recommendations on possible new institutional arrangements respectful of the objective of building a democratic and multi-ethnic Kosovo to allow more effective local government through the devolution of central non-reserved responsibilities to local authorities and communities in Kosovo, taking into account relevant studies and recommendations of interested parties and international organizations. How that local government is organized is a matter for further discussion between interested parties in Kosovo.

"The Council welcomes the strong measures by the international presence in Kosovo aimed at enhancing the security and protection of all communities, as well as their religious, historical and cultural sites, with the goal of ensuring lasting stability in Kosovo. It calls in this respect for the full cooperation of the Provisional Institutions of Self-Government and all concerned.

"The Council will continue to follow the matter closely."

At its 4967th meeting, on 11 May 2004, the Council decided to invite the representatives of Albania, Iceland, Ireland, Japan, Serbia and Montenegro and Ukraine to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/348)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

On 18 June 2004, the President of the Security Council addressed the following letter to the Secretary-General:[101]

"I have the honour to inform you that your letter dated 15 June 2004 concerning your intention to appoint Søren Jessen-Petersen, of Denmark, as your Special Representative and Head of the United Nations Interim Administration Mission in Kosovo[102] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[101] S/2004/501.

[102] S/2004/500.

B. The situation in Bosnia and Herzegovina[103]

Decisions

At its 4837th meeting, on 8 October 2003, the Security Council decided to invite the representatives of Bosnia and Herzegovina and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Letter dated 25 September 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/918)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Lord Ashdown, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and Judge Theodor Meron, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

At its 4920th meeting, on 3 March 2004, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia and Ireland to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Letter dated 19 February 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/126)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Lord Ashdown, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4997th meeting, on 25 June 2004, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Letter dated 19 February 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/126)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[104]

"The Security Council notes the report of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of 18 February 2004[105] which refers to the increasing number of challenges to the police certification process conducted by the United Nations Mission in Bosnia and Herzegovina International Police Task Force.

"The Council recalls its relevant resolutions and its support for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the 'Peace Agreement').[106] The parties to the Peace Agreement had the responsibility to cooperate fully with, and to instruct their respective responsible officials and authorities to provide their full support to, the International Police Task Force during its mandate on all relevant matters. The Council affirms that such responsibility included giving full and immediate effect to the decisions issued by the Task Force, including decisions to deny certification. The Council also affirms that Bosnia and Herzegovina has the obligation to respect fully and to promote the fulfilment of its responsibilities under the Peace Agreement.

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[103] Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.

[104] S/PRST/2004/22.

[105] See S/2004/126.

[106] S/1995/999, annex.

"The Council reaffirms the legal basis in the Charter of the United Nations on which the International Police Task Force was given its mandate. The Council recalls that during its mandate the Task Force was entrusted with the tasks set out in annex 11 of the Peace Agreement, including the tasks referred to in the conclusions of the London,[107] Bonn,[108] Luxembourg,[109] Madrid[110] and Brussels[111] Conferences and agreed by the authorities in Bosnia and Herzegovina.

"The Council affirms that the certification process was carried out pursuant to the mandate of the International Police Task Force and fully endorses this process. The comprehensive and rigorous vetting procedure was designed to create a police force comprised entirely of personnel meeting internationally recognized standards of personal integrity and professional performance.

"The Council expresses concern at the failure of the competent authorities in Bosnia and Herzegovina to take due steps to implement decisions to deny certification. The Council notes that this failure has already led to several challenges before the courts in Bosnia and Herzegovina brought by persons whose employment in Bosnia and Herzegovina's law enforcement agencies was terminated pursuant to a denial of certification by the International Police Task Force.

"The Council further notes that in some cases such persons have been reinstated following decisions of some local courts. The Council calls upon the authorities in Bosnia and Herzegovina to ensure, including through the adoption or amendment of domestic legislation, that all certification decisions of the International Police Task Force are fully and effectively implemented and that the employment of persons who were denied certification by the Task Force is terminated, and that such persons will be precluded from employment, either now or in the future, in any position within any law enforcement agency in Bosnia and Herzegovina."

At its 5001st meeting, on 9 July 2004, the Council decided to invite the representatives of Bosnia and Herzegovina and Italy to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

Resolution 1551 (2004)
of 9 July 2004

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002 and 1491 (2003) of 11 July 2003,

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[107] See S/1996/1012, annex.

[108] See S/1997/979, annex.

[109] See S/1998/498, annex.

[110] See S/1999/139, appendix.

[111] See S/2000/586, annex.

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[106] as well as the relevant decisions of the Peace Implementation Council,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational Stabilization Force, the Organization for Security and Cooperation in Europe, the European Union, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Taking note of the reports of the High Representative, including his latest report, of 18 February 2004,[105]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[112] and the statement by its President of 9 February 2000,[113]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the decisions set out in paragraph 8 of the communiqué of the summit of the North Atlantic Treaty Organization held in Istanbul, Turkey, on 28 June 2004, which refers to the intention of that organization to conclude its Stabilization Force operation in Bosnia and Herzegovina by the end of 2004,

Taking note also of the intention of the European Union to launch a European Union mission to Bosnia and Herzegovina, including a military component, from December 2004, under the terms set out in the letter dated 29 June 2004 from the Minister for Foreign Affairs of Ireland and President of the Council of the European Union addressed to the President of the Security Council,[114]

Acting under Chapter VII of the Charter,

I

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[106] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of

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[112] General Assembly resolution 49/59, annex.

[113] S/PRST/2000/4.

[114] S/2004/522, annex.

10 November 1995,[115] calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina, under review;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;[108]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 11 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

7. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 19 and 23 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with its resolution 1088 (1996), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force;

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[115] S/1995/1021, annex.

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the multinational Stabilization Force, set out in the declaration of the ministerial meeting of the Peace Implementation Council in Madrid on 16 December 1998;[110]

10. *Welcomes* the decision of the North Atlantic Treaty Organization to conclude its current Stabilization Force operation in Bosnia and Herzegovina by the end of 2004, and further welcomes the intention of the European Union to launch a European Union mission to Bosnia and Herzegovina, including a military component, from December 2004;

11. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue for a further planned period of six months the multinational Stabilization Force as established in accordance with its resolution 1088 (1996) under unified command and control in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement;

12. *Expresses its intention* to consider the terms of further authorization as necessary, in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

13. *Authorizes* the Member States acting under paragraph 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Force as may be necessary to ensure implementation of that annex and the protection of the Force, and takes note that the parties have consented to the Force taking such measures;

14. *Authorizes* Member States to take all necessary measures, at the request of the Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

15. *Authorizes* the Member States acting under paragraph 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of the Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

16. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

17. *Demands* that the parties respect the security and freedom of movement of the Force and other international personnel;

18. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

19. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue to report to the Security Council, through the appropriate channels and at least at monthly intervals;

20. *Decides* that the status-of-forces agreements currently contained in appendix B to annex 1-A of the Peace Agreement shall apply provisionally in respect of the proposed European Union mission and its forces, including from the point of their build-up in Bosnia and Herzegovina, in anticipation of the concurrence of the parties to those agreements to that effect;

21. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 11 and 20 above;

* * *

22. *Welcomes* the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

23. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[107] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

24. *Decides* to remain seized of the matter.

Adopted unanimously at the 5001st meeting.

ITEMS RELATING TO THE SITUATION IN THE MIDDLE EAST

A. The situation in the Middle East, including the Palestinian question[116]

Decisions

At its 4810th meeting, on 19 August 2003, the Security Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

At its 4824th meeting, on 15 September 2003, the Council decided to invite the representatives of Algeria, Argentina, Australia, Bahrain, Bangladesh, Brazil, Canada, Cuba, Egypt, India, Indonesia, Israel, Italy, Japan, Jordan, Malaysia, Morocco, Saudi Arabia, South Africa, the Sudan, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

> "The situation in the Middle East, including the Palestinian question
>
> "Letter dated 12 September 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council (S/2003/880)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 12 September 2003 addressed to the President of the Security Council,[117] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At the same meeting, in response to the request dated 12 September 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council,[118] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

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[116] Resolutions or decisions on this question were also adopted by the Security Council in 2000, 2001, 2002 and during the period from 1 January to 31 July 2003.

[117] Document S/2003/886, incorporated in the record of the 4824th meeting.

[118] Document S/2003/887, incorporated in the record of the 4824th meeting.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 15 September 2003.[119]

Upon resumption of the meeting, on 15 September 2003, the Council further decided to invite the representatives of Nepal and Norway to participate, without vote, in the discussion of the item.

At its 4828th meeting, on 16 September 2003, the Council considered the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 12 September 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council (S/2003/880)".

In accordance with the decision taken at the 4824th meeting, the President, with the consent of the Council, invited the Permanent Observer of Palestine and the representative of Israel to participate in the discussion.

At its 4841st meeting, on 14 October 2003, the Council decided to invite the representatives of Argentina, Bahrain, Brazil, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Israel, Italy, Japan, Jordan, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Nepal, New Zealand, Norway, Qatar, Saudi Arabia, South Africa, the Sudan, Tunisia, Turkey, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 13 October 2003 addressed to the President of the Security Council,[120] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in response to the request dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council,[121] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

At the same meeting, in response to the request dated 13 October 2003 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council,[122] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmad Hajihosseini, Deputy Permanent Observer of the Organization of the Islamic Conference to the United Nations.

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[119] See S/PV.4824.

[120] Document S/2003/988, incorporated in the record of the 4841st meeting.

[121] Document S/2003/975, incorporated in the record of the 4841st meeting.

[122] Document S/2003/989, incorporated in the record of the 4841st meeting.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 13 October 2003.[123]

At its 4842nd meeting, on 14 October 2003, the Council considered the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)".

In accordance with the decision taken at the 4841st meeting, the President, with the consent of the Council, invited the representative of Israel and the Permanent Observer of Palestine to participate in the discussion.

At its 4846th meeting, on 21 October 2003, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4861st meeting, on 19 November 2003, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4862nd meeting, on 19 November 2003, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 November 2003 addressed to the President of the Security Council,[124] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

Resolution 1515 (2003)
of 19 November 2003

The Security Council,

Recalling all its relevant resolutions, in particular resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1397 (2002) of 12 March 2002, and the Madrid principles,[125]

Expressing its grave concern at the continuation of the tragic and violent events in the Middle East,

Reiterating its demand for an immediate cessation of all acts of violence, including all acts of terrorism, provocation, incitement and destruction,

Reaffirming its vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

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[123] See S/PV.4841.

[124] Document S/2003/1102, incorporated in the record of the 4862nd meeting.

[125] See Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993 (S/26560, annex).

Emphasizing the need to achieve a comprehensive, just and lasting peace in the Middle East, including the Israeli-Syrian and Israeli-Lebanese tracks,

Welcoming and encouraging the diplomatic efforts of the international Quartet and others,

1. *Endorses* the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict;[126]

2. *Calls upon* the parties to fulfil their obligations under the road map in cooperation with the Quartet and to achieve the vision of two States living side by side in peace and security;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 4862nd meeting.

Decisions

At its 4879th meeting, on 12 December 2003, the Security Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 4895th meeting, on 16 January 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4912th meeting, on 18 February 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 4927th meeting, on 18 March 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Danilo Türk, Assistant Secretary-General for Political Affairs.

At its 4929th meeting, on 23 March 2004, the Council decided to invite the representatives of Bahrain, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Ireland, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Norway, Qatar, Saudi Arabia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 23 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2004/233)".

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[126] S/2003/529, annex.

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 23 March 2004 addressed to the President of the Security Council,[127] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in response to the request dated 23 March 2004 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council,[128] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 23 March 2004.[129]

At its 4934th meeting, on 25 March 2004, the Council considered the item entitled:

> "The situation in the Middle East, including the Palestinian question
>
> > "Letter dated 23 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2004/233)".

In accordance with the decision taken at the 4929th meeting, the President, with the consent of the Council, invited the representative of Israel to participate, without vote, in the discussion of the item.

In accordance with the decision taken at the 4929th meeting, the President, with the consent of the Council, also invited the Permanent Observer of Palestine to participate in the discussion in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 4945th meeting, on 19 April 2004, the Council decided to invite the representatives of Bahrain, Cuba, Egypt, India, Indonesia, Ireland, the Islamic Republic of Iran, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Norway, Saudi Arabia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

> "The situation in the Middle East, including the Palestinian question
>
> > "Letter dated 19 April 2004 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council (S/2004/303)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 April 2004 addressed to the President of the Security Council,[130] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in response to the request dated 19 April 2004 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council,[131] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

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[127] Document S/2004/234, incorporated in the record of the 4929th meeting.

[128] Document S/2004/236, incorporated in the record of the 4929th meeting.

[129] See S/PV.4929.

[130] Document S/2004/305, incorporated in the record of the 4945th meeting.

[131] Document S/2004/306, incorporated in the record of the 4945th meeting.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 19 April 2004.[132]

At its 4951st meeting, on 23 April 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 4972nd meeting, on 19 May 2004, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

"Letter dated 17 May 2004 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/2004/393)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 May 2004 addressed to the President of the Security Council,[133] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

Resolution 1544 (2004)
of 19 May 2004

The Security Council,

Reaffirming its resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 446 (1979) of 22 March 1979, 1322 (2000) of 7 October 2000, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, 1405 (2002) of 19 April 2002, 1435 (2002) of 24 September 2002 and 1515 (2003) of 19 November 2003,

Reiterating the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[134]

Calling upon Israel to address its security needs within the boundaries of international law,

Expressing grave concern at the continued deterioration of the situation on the ground in the territory occupied by Israel since 1967,

Condemning the killing of Palestinian civilians that took place in the Rafah area,

Gravely concerned by the recent demolition of homes committed by Israel, the occupying Power, in the Rafah refugee camp,

Recalling the obligations of the Palestinian Authority and the Government of Israel under the Road Map,[135]

Condemning all acts of violence, terror and destruction,

Reaffirming its support for the Road Map, endorsed in its resolution 1515 (2003),

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[132] See S/PV.4945.

[133] Document S/2004/406, incorporated in the record of the 4972nd meeting.

[134] United Nations, *Treaty Series*, vol. 75, No. 973.

[135] Performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict (S/2003/529, annex).

1. *Calls upon* Israel to respect its obligations under international humanitarian law, and insists, in particular, on its obligation not to undertake the demolition of homes contrary to that law;

2. *Expresses grave concern* regarding the humanitarian situation of Palestinians made homeless in the Rafah area, and calls for the provision of emergency assistance to them;

3. *Calls for* the cessation of violence and for respect of and adherence to legal obligations, including those under international humanitarian law;

4. *Calls upon* both parties to implement immediately their obligations under the Road Map;[135]

5. *Decides* to remain seized of the matter.

Adopted at the 4972nd meeting
by 14 votes to none, with 1 abstention
(United States of America).

Decisions

At its 4974th meeting, on 21 May 2004, the Security Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4995th meeting, on 23 June 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 5002nd meeting, on 13 July 2004, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

B. Letter dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

Letter dated 5 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council

Decisions

At its 4836th meeting, on 5 October 2003, the Security Council decided to invite the representatives of Algeria, Bahrain, Cuba, Djibouti, Egypt, the Islamic Republic of Iran, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Morocco, Oman, Qatar, Saudi Arabia, Somalia, the Sudan, Tunisia, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"Letter dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/939)

"Letter dated 5 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/2003/943)".

At the same meeting, in response to the request dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council,[136] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations.

At the same meeting, the Council further decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 5 October 2003 addressed to the President of the Security Council,[137] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

C. The situation in the Middle East[138]

Decision

At its 4889th meeting, on 22 December 2003, the Security Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2003/1148)".

Resolution 1520 (2003)
of 22 December 2003

The Security Council,

Having considered the report of the Secretary-General of 9 December 2003 on the United Nations Disengagement Observer Force,[139] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 30 June 2004;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4889th meeting.

Decisions

At the 4889th meeting also, following the adoption of resolution 1520 (2003), the President of the Security Council made the following statement on behalf of the Council:[140]

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[136] Document S/2003/941, incorporated in the record of the 4836th meeting.

[137] Document S/2003/942, incorporated in the record of the 4836th meeting.

[138] Resolutions or decisions on this question have been adopted by the Security Council every year since 1967.

[139] S/2003/1148.

[140] S/PRST/2003/29.

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[139] states in paragraph 11: "The situation in the Middle East is very tense and is likely to remain so unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.' "

On 14 January 2004, the President of the Security Council addressed the following letter to the Secretary-General:[141]

"I have the honour to inform you that your letter dated 9 January 2004 concerning your intention to appoint Major General Bala Nanda Sharma, of Nepal, to the post of Force Commander of the United Nations Disengagement Observer Force[142] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 26 January 2004, the President of the Security Council addressed the following letter to the Secretary-General:[143]

"I have the honour to inform you that your letter dated 19 January 2004 concerning your intention to appoint Major General Alain Pellegrini, of France, as Force Commander of the United Nations Interim Force in Lebanon[144] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4907th meeting, on 30 January 2004, the Security Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2004/50)".

Resolution 1525 (2004)
of 30 January 2004

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978 and 1496 (2003) of 31 July 2003, as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[145]

Recalling also the letter dated 18 May 2001 from the President of the Security Council addressed to the Secretary-General,[146]

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[147] as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

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[141] S/2004/31.

[142] S/2004/30.

[143] S/2004/69.

[144] S/2004/68.

[145] S/PRST/2000/21.

[146] S/2001/500.

[147] S/2000/460.

Emphasizing the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also its resolution 1325 (2000) of 31 October 2000,

Recalling further the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[148]

Responding to the request of the Government of Lebanon, as stated in the letter dated 14 January 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[149]

Expressing its concern over the tensions and potential for escalation as noted in the report of the Secretary General of 20 January 2004,[150]

1. *Endorses* the report of the Secretary-General of 20 January 2004 on the United Nations Interim Force in Lebanon,[150] and in particular its recommendation to renew the mandate of the Force for a further period of six months;

2. *Decides* to extend the present mandate until 31 July 2004;

3. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

4. *Encourages* the Government of Lebanon to continue efforts to ensure the return of its effective authority throughout the south, including the deployment of Lebanese armed forces, stresses the importance of the Government of Lebanon continuing to extend those measures, and calls upon the Government of Lebanon to do its utmost to ensure a calm environment throughout the south, including along the Blue Line;

5. *Calls upon* the parties to ensure that the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation as outlined in the report of the Secretary-General;

6. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[151] to exercise the utmost restraint and to cooperate fully with the United Nations and the Force;

7. *Condemns* all acts of violence, expresses great concern about the serious breaches and the sea, land and continuing air violations of the withdrawal line, and urges the parties to put an end to these violations, to refrain from any act or provocation that could further escalate the tension and to abide scrupulously by their obligation to respect the safety of personnel of the Force and other United Nations personnel;

8. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

9. *Welcomes* the continued contribution of the Force to operational demining, applauds the progress in demining efforts noted by the Secretary-General in his report,[150] encourages further

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[148] General Assembly resolution 49/59, annex.

[149] S/2004/35.

[150] S/2004/50.

[151] S/2000/590 and Corr.1.

assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in-kind contributions and encourages further international contributions, takes note of the communication to the Government of Lebanon and the Force of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

10. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report thereon to the Council before the end of the present mandate as well as on the activities of the Force and the tasks presently carried out by the United Nations Truce Supervision Organization;

11. *Looks forward* to the early fulfilment of the mandate of the Force;

12. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including its resolution 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 4907th meeting.

Decision

At its 4998th meeting, on 29 June 2004, the Security Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2004/499)".

Resolution 1550 (2004)
of 29 June 2004

The Security Council,

Having considered the report of the Secretary-General of 21 June 2004 on the United Nations Disengagement Observer Force,[152] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 31 December 2004;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4998th meeting.

Decisions

At the 4998th meeting also, following the adoption of resolution 1550 (2004), the President of the Security Council made the following statement on behalf of the Council:[153]

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[152] S/2004/499.

[153] S/PRST/2004/23.

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

> 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[152] states in paragraph 12: "... the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

At its 5012th meeting, on 29 July 2004, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/2004/572 and Add.1)".

Resolution 1553 (2004)
of 29 July 2004

The Security Council,

Recalling all its resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978 and 1525 (2004) of 30 January 2004 as well as the statements by its President on the situation in Lebanon, in particular the statement of 18 June 2000,[145]

Recalling also the letter dated 18 May 2001 from the President of the Security Council to the Secretary-General,[146]

Recalling further the conclusion of the Secretary-General that, as of 16 June 2000, Israel had withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in the report of the Secretary-General of 22 May 2000,[147] as well as the conclusion of the Secretary-General that the United Nations Interim Force in Lebanon had essentially completed two of the three parts of its mandate, focusing now on the remaining task of restoring international peace and security,

Emphasizing the interim nature of the Force,

Recalling its resolution 1308 (2000) of 17 July 2000,

Recalling also its resolution 1325 (2000) of 31 October 2000,

Recalling further the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[148]

Responding to the request of the Government of Lebanon to extend the mandate of the Force for a new period of six months presented in the letter dated 9 July 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[154]

Expressing its concern over the tensions and potential for escalation as noted in the report of the Secretary-General of 21 July 2004,[155]

1. *Endorses* the report of the Secretary-General of 21 July 2004 on the United Nations Interim Force in Lebanon[155] and in particular its recommendation to renew the mandate of the Force for a further period of six months;

2. *Decides* to extend the present mandate until 31 January 2005;

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[154] S/2004/560.

[155] S/2004/572 and Add.1.

3. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

4. *Encourages* the Government of Lebanon to continue efforts to ensure the return of its effective authority throughout the south, including the deployment of Lebanese armed forces, stresses the importance of the Government of Lebanon to continue to extend these measures, and calls upon the Government of Lebanon to do its utmost to ensure a calm environment throughout the south, including along the Blue Line;

5. *Calls upon* the parties to ensure that the Force is accorded full freedom of movement in the discharge of its mandate throughout its area of operation as outlined in the report of the Secretary-General;

6. *Reiterates its call upon* the parties to continue to fulfil the commitments they have given to respect fully the withdrawal line identified by the United Nations, as set out in the report of the Secretary-General of 16 June 2000,[151] to exercise the utmost restraint and to cooperate fully with the United Nations and the Force;

7. *Condemns* all acts of violence, expresses great concern about the serious breaches and the sea, land and continuing air violations of the withdrawal line, and urges the parties to put an end to these violations, to refrain from any act or provocation that could further escalate the tension and to abide scrupulously by the obligation to respect the safety of the personnel of the Force and other United Nations personnel;

8. *Supports* the continued efforts of the Force to maintain the ceasefire along the withdrawal line through mobile patrols and observation from fixed positions and through close contacts with the parties to correct violations, resolve incidents and prevent the escalation thereof;

9. *Welcomes* the continued contribution of the Force to operational demining, applauds the successful completion of Operation Emirates Solidarity noted by the Secretary-General in his report, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and emergency demining activities in the south, commends donor countries for supporting these efforts through financial and in kind contributions and encourages further international contributions, takes note of the communication to the Government of Lebanon and the Force of maps and information on the location of mines, and stresses the necessity to provide the Government of Lebanon and the Force with any additional maps and records on the location of mines;

10. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the present resolution and to report thereon to the Council before the end of the present mandate as well as on the activities of the Force and the tasks presently carried out by the United Nations Truce Supervision Organization;

11. *Looks forward* to the early fulfilment of the mandate of the Force;

12. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.

Adopted unanimously at the 5012th meeting.

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS[156]

Decisions

At its 4811th meeting, on 20 August 2003, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[157]

> "The Security Council unequivocally condemns the terrorist attack that took place on 19 August 2003 against the United Nations headquarters in Baghdad and thereby against the international community as a whole, causing numerous deaths and injuries among international personnel and Iraqi people.
>
> "The Council condemns in the strongest terms the perpetrators of that attack and underlines the need to bring them to justice.
>
> "The Council pays tribute to and expresses its deepest admiration for all those among the United Nations personnel who have lost their lives or have been injured in the service of the United Nations and of the Iraqi people, including the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello.
>
> "The Council expresses its deepest sympathy and condolences to the victims and their families.
>
> "The Council reaffirms the imperative to respect, in all circumstances, the safety and security of United Nations personnel and the need for adequate security measures to be taken in this regard.
>
> "The Council reaffirms its determination to assist the Iraqi people to build peace and justice in their country and to determine their own political future by themselves. It welcomes in this regard the determination of the United Nations to continue its operation in Iraq to fulfil its mandate in the service of the Iraqi people, and will not be intimidated by such attacks."

At its 4845th meeting, on 16 October 2003, the Council decided to invite the representatives of Armenia, Azerbaijan, Brazil, Colombia, Ecuador, India, Indonesia, Israel, Italy, Japan, Kazakhstan, Lebanon, the Libyan Arab Jamahiriya, Liechtenstein, Peru, South Africa, Switzerland, Uganda and Yemen to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Inocencio Arias, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Upon resumption of the meeting, on 16 October 2003, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[158]

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[156] Resolutions or decisions on this question were also adopted by the Security Council in 2001, 2002 and during the period from 1 January to 31 July 2003.

[157] S/PRST/2003/13.

[158] S/PRST/2003/17.

"The Security Council welcomes the briefing by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) on the work of the Committee.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.

"The Council recalls the statement by its President of 4 April 2003,[159] which recorded the intention of the Council to review the structure and activities of the Counter-Terrorism Committee no later than 4 October 2003. The Council confirms the continuation of the current arrangements for the Bureau of the Committee for a further six months. It invites the Committee to pursue its agenda as set out in the work programme for the Committee for the ninth 90-day period,[160] focusing on practical measures designed to increase the means available to States to combat terrorism, helping States to identify the problems faced by States in implementing resolution 1373 (2001) of 28 September 2001, attempting to find solutions to them, working to increase the number of States which are parties to the international conventions and protocols related to counter-terrorism, and deepening its dialogue with international, regional and subregional organizations active in the areas covered by the resolution. The Council invites these organizations to continue to find ways of improving their collective action against terrorism and, where appropriate, to work with donor States to establish suitable programmes.

"The Council notes that 48 Member States are late in submitting their reports as called for in resolution 1373 (2001). It calls upon them urgently to do so, in order to maintain the universality of response which resolution 1373 (2001) requires. By 31 October 2003 the Chairman of the Counter-Terrorism Committee will forward to the Council the list of the States which, at that date, are late in submitting their reports.

"The Council invites the Counter-Terrorism Committee to continue reporting on its activities at regular intervals and expresses its intention to review the structure and activities of the Committee no later than 4 April 2004."

At its 4867th meeting, on 20 November 2003, the Council decided to invite the representative of Turkey to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1516 (2003)
of 20 November 2003

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular its resolution 1373 (2001) of 28 September 2001,

Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns in the strongest terms* the bomb attacks in Istanbul, Turkey, on 15 and 20 November 2003 in which many lives were lost and people injured, as well as other terrorist acts in various countries, and regards such acts, like any act of terrorism, as a threat to peace and security;

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[159] S/PRST/2003/3.

[160] S/2003/995, annex.

2. *Expresses its deepest sympathy and condolences* to the people and Governments of Turkey and the United Kingdom of Great Britain and Northern Ireland and to the victims of the terrorist attacks and their families;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate in efforts to find and bring to justice the perpetrators, organizers and sponsors of these terrorist attacks;

4. *Expresses its reinforced determination* to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations.

Adopted unanimously at the 4867th meeting.

Decisions

At its 4892nd meeting, on 12 January 2004, the Security Council decided to invite the representatives of Indonesia, Ireland, Japan, Liechtenstein, Switzerland and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At its 4908th meeting, on 30 January 2004, the Council considered the item discussed at the 4892nd meeting.

Resolution 1526 (2004)
of 30 January 2004

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002 and 1455 (2003) of 17 January 2003,

Underlining the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to any member of the Taliban and Al-Qaida, and any individuals, groups, undertakings and entities associated with the Taliban and Al-Qaida, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts,

Noting that, in giving effect to the measures in paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Reiterating its condemnation of the Al-Qaida network and other associated terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing the deaths of innocent civilians and other victims and the destruction of property, and greatly undermining stability,

Reiterating its unequivocal condemnation of all forms of terrorism and terrorist acts,

Stressing to all States, international bodies and regional organizations the importance of ensuring that resources are committed, including through international partnership, to meet the ongoing threat that Al-Qaida and members of the Taliban, and any individuals, groups, undertakings and entities associated with them, represent to international peace and security,

Acting under Chapter VII of the Charter,

1. *Decides* to improve, as set out below, the implementation of the measures imposed by paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Osama bin Laden, members of

Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Committee list"), namely:

(*a*) To freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons by their nationals or by any persons within their territory;

(*b*) To prevent the entry into or the transit through their territories of those individuals, provided that nothing in the present paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that the present paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process, or the Committee determines on a case-by-case basis only that entry or transit is justified;

(*c*) To prevent the direct or indirect supply, sale or transfer to those individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

and recalls that all States shall implement the measures with respect to listed individuals and entities;

2. *Decides also* to strengthen the mandate of the Security Council Committee established pursuant to resolution 1267 (1999) ("the Committee") to include, in addition to the oversight of the implementation by States of the measures referred to in paragraph 1 above, a central role in assessing information for review by the Council regarding effective implementation of the measures, as well as in recommending improvements to the measures;

3. *Decides further* that the measures referred to in paragraph 1 above shall be further improved in eighteen months, or sooner if necessary;

4. *Calls upon* States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals and entities associated with Al-Qaida, Osama bin Laden and/or the Taliban, taking into account, as appropriate, international codes and standards for combating the financing of terrorism, including those designed to prevent the abuse of non-profit organizations and informal/alternative remittance systems;

5. *Urges* all States and encourages regional organizations, as appropriate, to establish internal reporting requirements and procedures on the trans-border movement of currency based on applicable thresholds;

6. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to establish for a period of eighteen months a New York-based Analytical Support and Sanctions Monitoring Team ("the Monitoring Team") under the direction of the Committee, with the responsibilities enumerated in the annex to the present resolution;

7. *Requests* the Secretary-General, upon adoption of the present resolution and acting in close consultation with the Committee, to appoint, consistent with United Nations rules and procedures, no more than eight members, including a coordinator, of the Monitoring Team, who demonstrate expertise in one or more of the following areas related to activities of Al-Qaida and/or the Taliban, including counter-terrorism and related legislation; financing of terrorism and international financial transactions, including technical banking expertise; alternative remittance systems, charities and use of couriers; border enforcement, including port security; arms embargoes and export controls; and drug trafficking;

8. *Requests* the Monitoring Team to submit, in writing, three comprehensive, independent reports to the Committee, the first by 31 July 2004, the second by 15 December 2004 and the third by 30 June 2005, on the implementation by States of the measures referred to in paragraph 1 above, including concrete recommendations for improved implementation of the measures and possible new measures;

9. *Requests* the Secretary-General to provide cost-effective support, as needed by the Committee, in the light of the increased workload entailed by the present resolution;

10. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with the present resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002) and 1455 (2003);

11. *Also requests* the Committee to follow up via oral and/or written communications with States regarding effective implementation of the sanctions measures and to provide States with an opportunity, at the request of the Committee, to send representatives to meet with the Committee for more in-depth discussion of relevant issues;

12. *Further requests* the Committee, through its Chairman, to report orally to the Council in detail at least every one hundred and twenty days on the overall work of the Committee and the Monitoring Team, including a summary of progress by States in submitting the reports referred to in paragraph 6 of resolution 1455 (2003) and any follow-up communications with States regarding additional requests for information and assistance;

13. *Requests* the Committee, based on its ongoing oversight of implementation by States of the measures referred to in paragraph 1 above, to prepare and to circulate to the Council within seventeen months of the adoption of the present resolution a written analytical assessment on implementation of the measures, including States' successes and challenges in implementing them, with a view to recommending further measures for consideration by the Council;

14. *Requests* all States, and encourages regional organizations, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and the Monitoring Team, including by supplying such information as may be sought by the Committee pursuant to the present resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1452 (2002) and 1455 (2003), to the extent possible;

15. *Reiterates* the need for close coordination and concrete exchange of information between the Committee and the Security Council Committee established pursuant to resolution 1373 (2001) ("the Counter-Terrorism Committee");

16. *Reiterates* to all States the importance of proposing to the Committee the names of members of Al-Qaida and the Taliban or individuals associated with Osama bin Laden and other individuals, groups, undertakings and entities associated with them for inclusion in the Committee list, unless to do so would compromise investigations or enforcement actions;

17. *Calls upon* all States, when submitting new names to the Committee list, to include identifying information and background information, to the greatest extent possible, that demonstrates the association of the individuals and/or entities with Osama bin Laden or with members of Al-Qaida and/or the Taliban, in line with the guidelines of the Committee;

18. *Strongly encourages* all States to inform, to the extent possible, individuals and entities included in the Committee list of the measures imposed on them, and of the guidelines of the Committee and resolution 1452 (2002);

19. *Requests* the Secretariat to communicate to Member States the Committee list at least every three months to facilitate implementation by States of the measures on entry and travel imposed by paragraph 2 (*b*) of resolution 1390 (2002), and further requests that the Committee list, whenever amended, be automatically conveyed by the Secretariat to all States and regional

and subregional organizations for the inclusion, to the extent possible, of listed names in their respective electronic databases and relevant border enforcement and entry/exit tracking systems;

20. *Reiterates* the urgency for all States to comply with their existing obligations to implement the measures referred to in paragraph 1 above and to ensure that their domestic legislative enactments or administrative measures, as appropriate, permit the immediate implementation of those measures with respect to their nationals and other individuals or entities located or operating in their territory, and with respect to funds, other financial assets and economic resources over which they have jurisdiction, and to inform the Committee of the adoption of such measures, and invites States to report the results of all related investigations and enforcement actions to the Committee, unless to do so would compromise the investigations or enforcement actions;

21. *Requests* that the Committee seek from States, as appropriate, status reports on the implementation of the measures referred to in paragraph 1 above concerning listed individuals and entities, specifically with respect to the aggregate amounts of the frozen assets of the listed individuals and entities;

22. *Requests* all States that have not yet done so to submit to the Committee by 31 March 2004 the updated reports called for in paragraph 6 of resolution 1455 (2003), following as closely as possible the guidance document previously provided by the Committee,[161] and further requests all States that have not submitted those reports to explain in writing to the Committee by 31 March 2004 their reasons for non-reporting;

23. *Requests* the Committee to circulate to the Council a list of those States that have not submitted by 31 March 2004 reports pursuant to paragraph 6 of resolution 1455 (2003), including an analytical summary of the reasons put forward by States for non-reporting;

24. *Urges* all States and encourages relevant international, regional and subregional organizations to become more directly involved in capacity-building efforts and to offer technical assistance in areas identified by the Committee, in consultation with the Counter-Terrorism Committee;

25. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4908th meeting.

Annex

In accordance with paragraph 6 of resolution 1526 (2004), the Analytical Support and Sanctions Monitoring Team shall operate under the direction of the Security Council Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

- To collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- To submit a comprehensive programme of work to the Committee for its approval and review, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel;
- To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003) and any subsequent written responses provided by States to the Committee;

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[161] "Guidance for reports required of all States pursuant to paragraphs 6 and 12 of resolution 1455 (2003)" (see S/2004/281).

- To work closely and share information with Counter-Terrorism Committee experts to identify areas of convergence and to help to facilitate concrete coordination between the two Committees;
- To consult with States in advance of travel to selected States, based on its programme of work approved by the Committee;
- To consult with States, including by engaging in regular dialogue with representatives in New York and in capitals, taking into account comments from States, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph 8 of resolution 1526 (2004);
- To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including on its visits to States and its activities;
- To assist the Committee in preparing its oral and written assessments to the Council, in particular the analytical summaries referred to in paragraphs 12 and 13 of resolution 1526 (2004);
- Any other responsibility identified by the Committee.

Decisions

At its 4921st meeting, on 4 March 2004, the Security Council decided to invite the representatives of Argentina, Belarus, Cameroon, Canada, Costa Rica, Cuba, Egypt, India, Indonesia, Ireland, Israel, Japan, Kazakhstan, Liechtenstein, Mexico, New Zealand, the Republic of Korea, South Africa, Switzerland, the Syrian Arab Republic and Ukraine to participate, without vote, in the discussion of the item entitled:

"Threats to international peace and security caused by terrorist acts

> "Letter dated 19 February 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/124)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Inocencio Arias, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

At its 4923rd meeting, on 11 March 2004, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1530 (2004)
of 11 March 2004

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular its resolution 1373 (2001) of 28 September 2001,

Reaffirming also the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

1. *Condemns in the strongest terms* the bomb attacks in Madrid perpetrated by the terrorist group Euskadi ta Askatasuna (ETA) on 11 March 2004, in which many lives were lost and people injured, and regards such acts, like any act of terrorism, as a threat to peace and security;

2. *Expresses its deepest sympathy and condolences* to the people and Government of Spain and to the victims of the terrorist attacks and their families;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate actively in efforts to find and bring to justice the perpetrators, organizers and sponsors of these terrorist attacks;

4. *Expresses its reinforced determination* to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations.

Adopted unanimously at the 4923rd meeting.

Decision

At its 4936th meeting, on 26 March 2004, the Security Council considered the item entitled:

"Threats to international peace and security caused by terrorist acts

> "Letter dated 19 February 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/124)".

Resolution 1535 (2004)
of 26 March 2004

The Security Council,

Reaffirming its resolution 1373 (2001) of 28 September 2001, adopted under Chapter VII of the Charter of the United Nations, and the ministerial declarations annexed to its resolutions 1377 (2001) of 12 November 2001 and 1456 (2003) of 20 January 2003, as well as its other resolutions concerning threats to international peace and security caused by terrorist acts,

Reaffirming also that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Reaffirming its reinforced determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Reaffirming its call upon States to become party, as a matter of urgency, to all relevant international conventions and protocols relating to terrorism and to support all international initiatives taken with that aim, and to make full use of the sources of assistance and guidance which are now available,

Commending Member States for their cooperation with the Counter-Terrorism Committee, and calling upon all of them to continue to cooperate fully with the Committee,

Commending the progress made so far by the Counter-Terrorism Committee, established by the Security Council under paragraph 6 of resolution 1373 (2001), acting under Chapter VII of the Charter, in discharging its important responsibility to monitor the implementation of that resolution,

Stressing the important role that international, regional and subregional organizations play in the fight against terrorism, urging them to intensify their assistance to Member States with respect to the implementation of resolution 1373 (2001), and commending the coordination by the Committee of counter-terrorism efforts with such organizations,

Recognizing that many States continue to require assistance in implementing resolution 1373 (2001), and urging States and organizations to inform the Committee of areas in which they are able to offer assistance, *Recognizing also* the need for the Committee, where appropriate, to visit States, with the consent of the State concerned, and to engage in a detailed discussion to monitor the implementation of resolution 1373 (2001),

Recognizing further that such visits should be conducted, when appropriate, in close cooperation with relevant international, regional and subregional organizations and other United Nations bodies, including the United Nations Office on Drugs and Crime, in particular with its Terrorism Prevention Branch, taking special care of the assistance that might be available to address the needs of States,

Stressing the importance of enhancing the monitoring of the implementation of resolution 1373 (2001),

Having considered the report of the Chairman of the Committee on the problems encountered both by Member States and by the Committee itself in the implementation of resolution 1373 (2001),[162]

Stressing the importance of addressing these difficulties so as to enable the Committee to monitor effectively the implementation of resolution 1373 (2001) and to enhance the capacity-building work in which it is engaged,

Bearing in mind the special nature of resolution 1373 (2001), the continuing threats to peace and security caused by terrorism, the important role that the United Nations and the Security Council must continue to play in the global fight against terrorism, and the need to reinforce the Committee as the subsidiary body of the Council with responsibility in this area, without setting a precedent for other bodies of the Council,

1. *Endorses* the report of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism on its revitalization;[163]

2. *Decides* that the revitalized Committee shall consist of the Plenary, composed of the member States of the Security Council, and the Bureau, composed of the Chair and the Vice-Chairs, assisted by the Counter-Terrorism Committee Executive Directorate (hereinafter "CTED") to be established as a special political mission, under the policy guidance of the Plenary, for an initial period ending 31 December 2007 and subject to a comprehensive review by the Council by 31 December 2005, so as to enhance the ability of the Committee to monitor the implementation of resolution 1373 (2001) and effectively continue the capacity-building work in which it is engaged;

3. *Decides also* that CTED, headed by an Executive Director, shall be responsible for the tasks set out in the report of the Committee, and requests the Secretary-General, within forty-five days of the adoption of the present resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Director of CTED who will take up office as soon as possible;

4. *Requests* the Executive Director of CTED, within thirty days of taking office, in consultation with and through the Secretary-General, to submit to the Plenary, for its endorsement, an organizational plan for CTED, consistent with the report of the Committee and United Nations rules and regulations, including its structure, staffing requirements, budget needs, management guidelines, recruitment procedures, recognizing in particular the need for an effective, cooperative management structure for the new body, and staffing with suitably qualified and experienced personnel, who would be international civil servants subject to Article 100 of the Charter of the United Nations, securing the highest standards of efficiency, competence and integrity and paying due regard to the importance of recruiting the staff on as wide a geographical basis as possible;

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[162] S/2004/70, annex.

[163] S/2004/124, annex.

5. *Requests* the Chairman of the Committee to present the organizational plan to the Council for its endorsement, and further requests the Secretary-General to take the appropriate steps to implement it on an expedited basis, including, at the appropriate time, seeking the approval of the General Assembly;

6. *Decides* that the Committee shall continue to report to the Council on a regular basis;

7. *Stresses* the importance of ensuring that the Committee continues to operate effectively during the consolidation of the support structure of the Committee into CTED, and, in this regard, decides that the Committee shall continue to operate with its present support structure until the Committee determines, in consultation with the Secretary-General, that CTED is operational;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4936th meeting.

Decisions

At its 4939th meeting, on 30 March 2004, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[164]

> "The Security Council recalls the statement by its President of 16 October 2003,[158] which confirmed the continuation of the current arrangements for the Bureau of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism for another six months, until 4 April 2004.
>
> "The said six months having elapsed, the Council confirms the continuation of the current arrangements for the Bureau of the Committee for another six months, until 4 October 2004."

At its 4966th meeting, on 10 May 2004, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[165]

> "The Security Council unequivocally condemns the terrorist bomb attack that took place on 9 May 2004 in Grozny, Russian Federation, as a result of which many people were injured and killed, including the President of the Chechen Republic of the Russian Federation, Mr. Ahmad Kadyrov.
>
> "The Council condemns in the strongest terms the perpetrators of this heinous act committed against innocent people at the stadium when celebrating Victory Day – the most solemn national holiday in the Russian Federation.
>
> "The Council expresses its deepest sympathy and condolences to the people and to the Government of the Russian Federation and to the victims and their families.
>
> "The Council urges all States, in accordance with their obligation under resolution 1373 (2001) of 28 September 2001, to cooperate with the Russian authorities in their efforts to bring to justice the perpetrators, organizers and sponsors of this attack.

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[164] S/PRST/2004/8.

[165] S/PRST/2004/14.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.

"The Council expresses its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations."

On 14 May 2004, the President of the Security Council addressed the following letter to the Secretary-General:[166]

"In reference to your letters dated 10 and 12 May 2004,[167] I have the honour to inform you that your nomination of Mr. Javier Rupérez, of Spain, as the Executive Director of the Counter-Terrorism Committee Executive Directorate, in compliance with paragraph 3 of resolution 1535 (2004) of 26 March 2004, has been brought to the attention of the members of the Security Council. They approve the appointment. Mr. Rupérez should take up his mandated tasks as soon as possible."

At its 4976th meeting, on 25 May 2004, the Council decided to invite the representatives of Costa Rica, India, Ireland and Japan to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

At its 5006th meeting, on 19 July 2004, the Council decided to invite the representatives of Côte d'Ivoire, Indonesia, Israel, Japan, Kazakhstan, Liechtenstein, the Netherlands, the Syrian Arab Republic and Uzbekistan to participate, without vote, in the discussion of the item entitled:

"Threats to international peace and security caused by terrorist acts

"Letter dated 1 July 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/541)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alexander Konuzin, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[168]

"The Security Council welcomes the briefing by the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) on the work of the Committee.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.

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[166] S/2004/390.

[167] S/2004/388 and S/2004/389.

[168] S/PRST/2004/26.

"The Council recalls the statement by its President of 16 October 2003[168] and its resolution 1535 (2004) of 26 March 2004, which indicated the intention of the Council to review the structure and activities of the Counter-Terrorism Committee.

"The Council expresses its appreciation for the work of Mr. Inocencio Arias, of Spain, as Chairman of the Counter-Terrorism Committee and also expresses its confidence that the new Chairman, supported by the new Bureau of the Committee, will continue the effective coordination of the Committee in the global fight against terrorism under the aegis of the United Nations by monitoring the implementation of resolution 1373 (2001) of 28 September 2001.

"The Council invites the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the Committee for the twelfth 90-day period,[169] focusing on practical measures to implement resolution 1535 (2004) on the revitalization of the Committee, including by considering the organizational plan for the newly established Counter-Terrorism Committee Executive Directorate.

"The Council notes the importance of continuing the efforts of the Counter-Terrorism Committee aimed at increasing the capabilities of Member States to combat terrorism, to identify and address the problems faced by States in implementing resolution 1373 (2001), to facilitate the provision of technical assistance adjusted to the countries' needs, to encourage the largest possible number of States to become parties to the international conventions and protocols related to counter-terrorism, and to strengthen its dialogue and cooperation with international, regional and subregional organizations acting in the areas outlined by resolution 1373 (2001).

"The Council invites the Counter-Terrorism Committee to accelerate its work on country assessments of assistance needs that can be shared with interested donor States and organizations and welcomes the initiation of preparations for the first visit by the Committee to a Member State with its consent in order to enhance the monitoring of the implementation of resolution 1373 (2001), focusing in particular on the assistance that might be available to address States' needs.

"The Council notes that, as of 30 June 2004, 71 States had not met the deadline for submission of their respective reports to the Counter-Terrorism Committee as set out in resolution 1373 (2001). It calls upon them urgently to do so, in order to maintain the universality of response which resolution 1373 (2001) requires.

"The Council invites the Counter-Terrorism Committee to continue reporting on its activities at regular intervals and expresses its intention to review the structure and activities of the Committee in October 2004."

PROTECTION OF UNITED NATIONS PERSONNEL, ASSOCIATED PERSONNEL AND HUMANITARIAN PERSONNEL IN CONFLICT ZONES[170]

Decision

At its 4814th meeting, on 26 August 2003, the Security Council considered the item entitled "Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones".

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[169] S/2004/541, annex.

[170] Resolutions or decisions on this question were also adopted by the Security Council in 2000.

Resolution 1502 (2003)
of 26 August 2003

The Security Council,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this context, the need to promote and ensure respect for the principles and rules of international humanitarian law,

Reaffirming its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on protection of civilians in armed conflict, and its resolution 1460 (2003) of 30 January 2003 on children and armed conflict, as well as other relevant resolutions, and recalling the statements by its President on protection of civilians in armed conflict[171] and on protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones,[172]

Welcoming the adoption by the General Assembly of resolution 57/28 of 19 November 2002 entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel" and resolution 57/155 of 16 December 2002 entitled "Safety and security of humanitarian personnel and protection of United Nations personnel",

Reaffirming the obligation of all humanitarian personnel and United Nations and associated personnel to observe and respect the laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations, and underlining the importance for humanitarian organizations of upholding the principles of neutrality, impartiality and humanity in their humanitarian activities,

Emphasizing that there are existing prohibitions under international law against attacks knowingly and intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission undertaken in accordance with the Charter which in situations of armed conflict constitute war crimes, and recalling the need for States to end impunity for such criminal acts,

Aware that the protection of humanitarian personnel and United Nations and associated personnel is a concern in situations of armed conflict and otherwise,

Gravely concerned at the acts of violence in many parts of the world against humanitarian personnel and United Nations and associated personnel, in particular deliberate attacks, which are in violation of international humanitarian law as well as other international law that may be applicable, such as the attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003,

1. *Expresses its strong condemnation* of all forms of violence, including, inter alia, murder, rape and sexual assault, intimidation, armed robbery, abduction, hostage-taking, kidnapping, harassment and illegal arrest and detention, to which those participating in humanitarian operations are increasingly exposed, as well as attacks on humanitarian convoys and acts of destruction and looting of their property;

2. *Urges* States to ensure that crimes against such personnel do not remain unpunished;

3. *Reaffirms* the obligation of all parties involved in an armed conflict to comply fully with the rules and principles of international law applicable to them related to the protection of humanitarian personnel and United Nations and associated personnel, in particular international humanitarian law, human rights law and refugee law;

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[171] S/PRST/1999/6, S/PRST/2002/6 and S/PRST/2002/41.

[172] S/PRST/2000/4.

4. *Urges* all those concerned, as set forth in international humanitarian law, including the Geneva Conventions of 12 August 1949[173] and the Regulations annexed to the Hague Convention of 18 October 1907,[174] to allow full unimpeded access by humanitarian personnel to all people in need of assistance and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and associated personnel and their assets;

5. *Expresses its determination* to take appropriate steps in order to ensure the safety and security of humanitarian personnel and United Nations and associated personnel, including, inter alia, by:

(*a*) Requesting the Secretary-General to seek the inclusion of, and requesting that host countries include, key provisions of the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[175] among others, those regarding the prevention of attacks against members of United Nations operations, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well as, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements;

(*b*) Encouraging the Secretary-General, in accordance with his prerogatives under the Charter of the United Nations, to bring to the attention of the Security Council situations in which humanitarian assistance is denied as a consequence of violence directed against humanitarian personnel and United Nations and associated personnel;

(*c*) Issuing the declaration of exceptional risk for the purposes of article 1 (*c*)(ii) of the Convention on the Safety of United Nations and Associated Personnel in situations where, in its assessment, circumstances would support such a declaration, and inviting the Secretary-General to advise the Council where, in his assessment, circumstances would support such a declaration;

6. *Requests* the Secretary-General to address in all his country-specific situation reports the issue of the safety and security of humanitarian personnel and United Nations and associated personnel, including specific acts of violence against such personnel, remedial actions taken to prevent similar incidents and actions taken to identify and hold accountable those who commit such acts, and to explore and propose additional ways and means to enhance the safety and security of such personnel.

Adopted unanimously at the 4814th meeting.

LETTERS DATED 20 AND 23 DECEMBER 1991, FROM FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA[176]

Decisions

At its 4820th meeting, on 9 September 2003, the Security Council considered the item entitled:

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[173] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[174] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[175] General Assembly resolution 49/59, annex.

[176] Resolutions or decisions on this question were also adopted by the Security Council from 1992 to 1999.

"Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317)

"Letter dated 15 August 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2003/818)

"Letter dated 15 August 2003 from the Permanent Representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the President of the Security Council (S/2003/819)

"Voting on draft resolution S/2003/824".

At the same meeting, the President of the Security Council, in accordance with rule 33 of the provisional rules of procedure of the Council, proposed a procedural motion to adjourn the meeting until 12 September 2003. The motion was adopted unanimously.

Upon resumption of the meeting, on 12 September 2003, the Council decided to invite the representative of the Libyan Arab Jamahiriya to participate, without vote, in the discussion of the item.

Resolution 1506 (2003)
of 12 September 2003

The Security Council,

Recalling its resolutions 731 (1992) of 21 January 1992, 748 (1992) of 31 March 1992, 883 (1993) of 11 November 1993 and 1192 (1998) of 27 August 1998 relating to the destruction of Pan Am flight 103 over Lockerbie, Scotland, and the destruction of Union de transports aériens flight 772 over Niger,

Recalling also the statement by its President of 8 April 1999,[177]

Welcoming the letter dated 15 August 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council recounting steps that the Government of the Libyan Arab Jamahiriya has taken to comply with the above-mentioned resolutions, particularly concerning acceptance of responsibility for the actions of Libyan officials, payment of appropriate compensation, renunciation of terrorism and a commitment to cooperating with any further requests for information in connection with the investigation,[178]

Welcoming also the letter dated 15 August 2003 from the Permanent Representatives of the United Kingdom of Great Britain and Nortnern Ireland and the United States of America to the United Nations addressed to the President of the Security Council,[179]

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to lift, with immediate effect, the measures set forth in paragraphs 4 to 6 of its resolution 748 (1992) and paragraphs 3 to 7 of its resolution 883 (1993);

2. *Decides also* to dissolve the Security Council Committee established pursuant to paragraph 9 of resolution 748 (1992);

3. *Decides further* that it has concluded its consideration of the item entitled "Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern

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[177] S/PRST/1999/10.

[178] S/2003/818.

[179] S/2003/819.

Ireland and the United States of America", and hereby removes this item from the list of matters of which the Council is seized.

Adopted at the 4820th meeting
by 13 votes to none, with 2 abstentions
(France and United States of America).

ITEMS RELATING TO STRENGTHENING COOPERATION WITH TROOP-CONTRIBUTING COUNTRIES

A. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea pursuant to resolution 1353 (2001), annex II, sections A and B[180]

Decisions

At its 4821st meeting, held in private on 9 September 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 9 September 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4821st meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Legwaila Joseph Legwaila, Special Representative of the Secretary-General for Ethiopia and Eritrea."

At its 4922nd meeting, held in private on 10 March 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 March 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4922nd meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Legwaila Joseph Legwaila, Special Representative of the Secretary-General for Ethiopia and Eritrea.
>
> "The members of the Council, representatives of participating troop-contributing countries and Mr. Legwaila had a constructive exchange of views."

B. Meeting of the Security Council with the potential troop- and civilian police-contributing countries to the proposed United Nations peacekeeping operation in Liberia pursuant to resolution 1353 (2001), annex II, sections A and B

Decision

At its 4825th meeting, held in private on 15 September 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

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[180] Resolutions or decisions on this question were also adopted by the Security Council in 2001, 2002 and during the period from 1 January to 31 July 2003.

"On 15 September 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4825th meeting, in private with the potential troop- and civilian police-contributing countries to the proposed United Nations peacekeeping operation in Liberia.

"The Council and the potential troop- and civilian police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jacques Paul Klein, Special Representative of the Secretary-General for Liberia.

"The members of the Council had a constructive exchange of views with the potential troop- and civilian police-contributing countries."

C. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Sierra Leone pursuant to resolution 1353 (2001), annex II, sections A and B[180]

Decisions

At its 4827th meeting, held in private on 16 September 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 16 September 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4827th meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4932nd meeting, held in private on 24 March 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 March 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4932nd meeting, in private with the troop-contributing countries to the United Nations Mission in Sierra Leone.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Daudi Ngelautwa Mwakawago, Special Representative of the Secretary-General for Sierra Leone and Chief of Mission.

"The members of the Council, Mr. Mwakawago and representatives of participating troop-contributing countries had a constructive exchange of views."

D. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara pursuant to resolution 1353 (2001), annex II, sections A and B[180]

Decisions

At its 4847th meeting, held in private on 23 October 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 October 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4847th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Dmitry Titov, Director of the Africa Division of the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4902nd meeting, held in private on 23 January 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 January 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4902nd meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4955th meeting, held in private on 28 April 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 28 April 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4955th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations."

E. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Côte d'Ivoire pursuant to resolution 1353 (2001), annex II, sections A and B

Decision

At its 4854th meeting, held in private on 7 November 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 7 November 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4854th meeting, in private with the troop-contributing countries to the United Nations Mission in Côte d'Ivoire.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Albert Tevoedjre, Special Representative of the Secretary-General for Côte d'Ivoire."

F. Meeting of the Security Council with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus pursuant to resolution 1353 (2001), annex II, sections A and B[180]

Decisions

At its 4866th meeting, held in private on 20 November 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 20 November 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4866th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Acting Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat."

At its 4983rd meeting, held in private on 7 June 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 7 June 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4983rd meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Acting Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat."

G. Meeting of the Security Council with the troop-contributing countries to the United Nations Disengagement Observer Force pursuant to resolution 1353 (2001), annex II, sections A and B[180]

Decisions

At its 4878th meeting, held in private on 11 December 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 11 December 2003, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4878th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Acting Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 4996th meeting, held in private on 24 June 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 24 June 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4996th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council, Ms. Buttenheim and representatives of participating troop-contributing countries had a constructive exchange of views."

H. Meeting of the Security Council with troop-contributing countries to the United Nations Observer Mission in Georgia pursuant to resolution 1353 (2001), annex II, sections A and B[181]

Decisions

At its 4900th meeting, held in private on 23 January 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 January 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4900th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Acting Director of the Europe and Latin America Division of the Department of Peacekeeping Operations of the Secretariat.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

At its 5010th meeting, held in private on 26 July 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 26 July 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5010th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

I. Meeting of the Security Council with the troop-contributing countries to the United Nations Interim Force in Lebanon pursuant to resolution 1353 (2001), annex II, sections A and B[181]

Decisions

At its 4901st meeting, held in private on 23 January 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

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[181] Resolutions or decisions on this question were also adopted by the Security Council in 2002 and during the period from 1 January to 31 July 2003.

"On 23 January 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4901st meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Acting Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat."

At its 5008th meeting, held in private on 23 July 2004, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 July 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5008th meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat."

J. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission of Support in East Timor pursuant to resolution 1353 (2001), annex II, sections A and B[182]

Decision

At its 4963rd meeting, held in private on 6 May 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 6 May 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 4963rd meeting, in private with the troop-contributing countries to the United Nations Mission of Support in East Timor.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Representatives of the participating troop-contributing countries, Mr. Annabi and members of the Council had a constructive exchange of views."

K. Meeting of the Security Council with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo pursuant to resolution 1353 (2001), annex II, sections A and B[180]

Decision

At its 5009th meeting, held in private on 23 July 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 July 2004, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5009th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

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[182] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2003.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. William Lacy Swing, Special Representative of the Secretary-General for the Democratic Republic of the Congo.

"The members of the Council had a constructive exchange of views with representatives of participating troop-contributing countries."

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC[183]

Decision

On 11 September 2003, the President of the Security Council addressed the following letter to the Secretary-General:[184]

> "I have the honour to inform you that, as requested, your letter dated 5 September 2003 concerning your proposal to extend the mandate of the United Nations Peace-building Support Office in the Central African Republic, which expires on 31 December 2003, for an additional year until 31 December 2004[185] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

THE SITUATION BETWEEN ERITREA AND ETHIOPIA[186]

Decision

At its 4822nd meeting, on 12 September 2003, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Progress report of the Secretary-General on Ethiopia and Eritrea (S/2003/858)".

Resolution 1507 (2003)
of 12 September 2003

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1466 (2003) of 14 March 2003 and the statement by its President of 17 July 2003,[187]

Reaffirming its unwavering support for the peace process and its commitment, including through the role played by the United Nations Mission in Ethiopia and Eritrea in the implementation of its mandate, to the full and expeditious implementation of the comprehensive Peace Agreement signed at Algiers by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") on 12 December 2000 and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 ("the Algiers Agreements"),[188] and the delimitation decision of the Boundary Commission of 13 April 2002,[189] embraced by the parties as final and binding in accordance with the Algiers Agreements,

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[183] Resolutions or decisions on this question were also adopted by the Security Council from 1997 to 2002.

[184] S/2003/890.

[185] S/2003/889.

[186] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[187] S/PRST/2003/10.

Noting that the peace process has now entered its crucial phase of demarcation, and emphasizing the importance of ensuring expeditious implementation of the decision of the Boundary Commission while maintaining stability in all areas affected by the decision,

Expressing concern at delays in the demarcation process, particularly given the operational cost of the Mission at a time of growing demands on United Nations peacekeeping,

Expressing concern also at the continuing humanitarian crisis in Ethiopia and Eritrea and the implications that this could have on the peace process, and calling upon Member States to continue to provide prompt and generous support for humanitarian operations in Ethiopia and Eritrea,

Reiterating its urgent demand that the parties allow the Mission full freedom of movement and remove with immediate effect any and all restrictions on, and impediments to the work of, the Mission and its staff in the discharge of their mandate,

Expressing concern regarding the reported increase in incidents of incursions at the local level into the Temporary Security Zone and calling upon both parties to prevent such incidents, and expressing further concern about the increasing number of mine incidents in the Temporary Security Zone, including newly planted mines,

Noting the work done by the Mine Action Coordination Centre of the Mission in demining and education on risk related to mines, and urging the parties to pursue efforts on mine clearance,

Having considered the report of the Secretary-General of 4 September 2003,[190] and fully supporting the observations and recommendations made therein,

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 March 2004 at the troop and military observer levels authorized by its resolution 1320 (2000) of 15 September 2000;

2. *Calls for* the demarcation of the boundary to begin as scheduled by the Boundary Commission, and further calls upon the parties to create the necessary conditions for demarcation to proceed, including the appointment of field liaison officers;

3. *Urges* the Governments of Ethiopia and Eritrea to assume their responsibilities and to take further concrete steps to fulfil their commitments under the Algiers Agreements;[188]

4. *Calls upon* Ethiopia and Eritrea to cooperate fully and promptly with the Boundary Commission to enable it to fulfil the mandate conferred upon it by the parties of expeditiously demarcating the boundary and to implement fully the Demarcation Directions and Orders of the Commission, and to take all necessary steps to provide the necessary security on the ground for the staff and contractors of the Commission operating in territories under their control, and welcomes assurances given by both parties in this regard;

5. *Urges* the parties to cooperate fully and expeditiously with the Mission in the implementation of its mandate, to ensure the personal security of all Mission staff operating in territories under their control and to facilitate their work, including by establishing a direct high-

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[188] S/2000/1183, annex, and S/2000/601, annex.

[189] S/2002/423, annex.

[190] S/2003/858.

altitude flight route between Asmara and Addis Ababa to relieve the unnecessary additional cost to the Mission and by lifting all visa restrictions on Mission personnel and mission partners;

6. *Reaffirms* the crucial importance of political dialogue between the two countries for the success of the peace process and the consolidation of progress made so far, welcomes initiatives to facilitate this dialogue, and calls again upon both parties to normalize their relations through political dialogue, including confidence-building measures;

7. *Decides* to follow closely the progress made by the parties in the implementation of their commitments under the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission;

8. *Welcomes* the contributions by Member States to the Trust Fund in Support of the Delimitation and Demarcation of the Ethiopia-Eritrea Border, and calls upon the international community to continue to contribute urgently to the Trust Fund in order to facilitate the conclusion of the demarcation process in accordance with the schedule of the Boundary Commission;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4822nd meeting.

Decisions

On 9 February 2004, the President of the Security Council addressed the following letter to the Secretary-General:[191]

> "I have the honour to inform you that your letter dated 29 January 2004 concerning your decision to appoint Mr. Lloyd Axworthy, of Canada, as your Special Envoy for Ethiopia and Eritrea[192] has been brought to the attention of the members of the Security Council.
>
> "In welcoming this decision, the members of the Council recall the statement to the press made by the President on 30 January 2004, expressing full support for your mission of good offices. They also look forward to close cooperation with your Special Envoy."

At its 4924th meeting, on 12 March 2004, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

> "Progress report of the Secretary-General on Ethiopia and Eritrea (S/2004/180)".

Resolution 1531 (2004)
of 12 March 2004

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1507 (2003) of 12 September 2003,

Reiterating its support for the peace process and its unwavering commitment, including through the role played by the United Nations Mission in Ethiopia and Eritrea, to the full and expeditious implementation of the comprehensive Peace Agreement signed at Algiers by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") on 12 December 2000 and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 ("the Algiers Agreements"),[188] and the delimitation decision of the Boundary Commission of 13 April 2002,[189] embraced by the parties as final and binding in accordance with the Algiers Agreements,

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[191] S/2004/103.

[192] S/2004/102.

Noting with concern the continuing impasse in the peace process, due mainly to the lack of progress in the demarcation of the border,

Taking note with concern of the twelfth report on the work of the Eritrea-Ethiopia Boundary Commission, of 27 February 2004,[193] in particular its conclusion that under the present circumstances the Commission is unable to progress with demarcation activities,

Expressing its concern about Ethiopia's rejection of significant parts of the decision of the Boundary Commission and its current lack of cooperation with the Commission,

Expressing disappointment about Eritrea's refusal at present to engage with the Special Envoy of the Secretary-General for Ethiopia and Eritrea,

Emphasizing that cooperation with the Special Envoy offers both parties a concrete opportunity to move the peace process forward,

Recognizing the increasing demand for United Nations peacekeeping and resources from the international community for peacekeeping and peace-building purposes, and recalling the additional operational costs due to the delays in the demarcation process,

Expressing its support for the Special Representative of the Secretary-General for Ethiopia and Eritrea and for the Mission,

Having considered the report of the Secretary-General of 5 March 2004,[194] and fully supporting the observations made therein,

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea until 15 September 2004 at the troop and military observer levels authorized by its resolution 1320 (2000) of 15 September 2000;

2. *Strongly urges* the parties once again to cooperate fully and expeditiously with the Mission in the implementation of its mandate and to step up their efforts to ensure the security of all Mission staff, and reiterates in the strongest terms its demand that the parties allow the Mission full freedom of movement and remove with immediate effect and without preconditions any and all restrictions on, and impediments to the work of, the Mission and its staff in the discharge of their mandate;

3. *Stresses* that the primary responsibility for the implementation of the Algiers Agreements[188] and the decision of the Eritrea-Ethiopia Boundary Commission[189] lies with both parties;

4. *Calls upon* the parties to cooperate fully and promptly with the Boundary Commission and to create the necessary conditions for demarcation to proceed expeditiously, including through the unequivocal restating of Ethiopia's acceptance of the decision of the Commission, the appointment by Ethiopia of field liaison officers and the payment of its dues to the Commission;

5. *Reaffirms* the crucial importance of a political dialogue between the two countries for the completion of the peace process and the consolidation of progress achieved so far, and urges both parties to normalize their relations, including through confidence-building measures, and to refrain from any threat or use of force against each other;

6. *Reiterates its support* for the initiative of the Secretary-General to exercise his good offices by appointing a Special Envoy in order to facilitate the implementation of the Algiers Agreements, the decision of the Boundary Commission and the relevant resolutions and decisions of the Security Council and to encourage the normalization of diplomatic relations between the two countries, and emphasizes that this appointment does not constitute an alternative mechanism;

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[193] S/2004/180, annex I.

[194] S/2004/180.

7. *Expresses its full support* for the Special Envoy of the Secretary-General for Ethiopia and Eritrea, Mr. Lloyd Axworthy, stresses that the Special Envoy enjoys the unanimous support of the witnesses to the Algiers Agreements, namely the United Nations, the United States of America, Algeria, the African Union and the European Union, and urges both parties, in particular the Government of Eritrea, to engage constructively and without further delay with the Special Envoy;

8. *Urges* both parties once again to establish expeditiously a direct high-altitude flight route between Asmara and Addis Ababa to relieve the unnecessary additional cost to the Mission and Member States;

9. *Decides* to monitor closely the steps taken by the parties in the implementation of their commitments under the Algiers Agreements, including through the Boundary Commission, and to review any implications for the Mission;

10. *Requests* the Secretary-General to monitor the situation closely and to keep under review the effectiveness of the mission, and to adjust and streamline its operations as needed, taking into account also the mandate of the Mission as outlined in paragraph 2 of resolution 1320 (2000);

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4924th meeting.

Decision

On 9 July 2004, the President of the Security Council addressed the following letter to the Secretary-General:[195]

> "I have the honour to inform you that your letter dated 6 July 2004 concerning your intention to appoint Major General Rajender Singh, of India, as Force Commander of the United Nations Mission in Ethiopia and Eritrea[196] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN SIERRA LEONE[197]

Decision

At its 4829th meeting, on 19 September 2003, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Nineteenth report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2003/863)".

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[195] S/2004/549.

[196] S/2004/548.

[197] Resolutions or decisions on this question have been adopted by the Security Council every year since 1995.

Resolution 1508 (2003)
of 19 September 2003

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Welcoming the increasingly stable security situation in Sierra Leone, while encouraging further progress towards strengthening the capacity of the Sierra Leone police and armed forces to maintain security and stability independently,

Noting that lasting stability in Sierra Leone will depend on peace in the subregion, especially in Liberia, and emphasizing the importance of cooperation among the countries of the subregion to this end, as well as the need for coordination of United Nations efforts to contribute to the consolidation of peace and security in the subregion,

Reiterating the importance of the effective consolidation of stability and State authority throughout Sierra Leone, particularly in the diamond fields, the reintegration of ex-combatants, the voluntary and unhindered return of refugees and internally displaced persons, and full respect for human rights and the rule of law, paying special attention to the protection of women and children, and stressing continued United Nations support to the Government of Sierra Leone in fulfilling these objectives,

Having considered the report of the Secretary-General,[198]

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone shall be extended for a period of six months from 30 September 2003;

2. *Expresses its appreciation* to those Member States providing troops, civilian police personnel and support elements to the Mission and those who have made commitments to do so;

3. *Commends* the Mission for the progress made to date in the adjustments to its size, composition and deployment, in accordance with Security Council resolutions 1436 (2002) of 24 September 2002 and 1492 (2003) of 18 July 2003, and welcomes the intention of the Secretary-General to continue with those adjustments, as outlined in paragraph 10 of his report;[199]

4. *Emphasizes* that the development of the administrative capacities of the Government of Sierra Leone, particularly an effective and sustainable police force, army, penal system and independent judiciary, is essential to long-term peace and development, and urges the Government of Sierra Leone, with the assistance of donors and the Mission, in accordance with its mandate, to accelerate the consolidation of civil authority and public services throughout the country and to continue to strengthen the operational effectiveness and capabilities of the security sector;

5. *Urges* the Government of Sierra Leone to continue to strengthen its control over and regulation of diamond mining, including through the High-level Steering Committee, and encourages Member States to volunteer candidates for the post of diamond mining police adviser;

6. *Notes with serious concern* the precarious financial situation of the Special Court for Sierra Leone, reiterates its appeal to States to contribute generously to the Court, as requested in the letter from the Secretary-General dated 18 March 2003, and urges all States to cooperate fully with the Court;

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[198] S/2003/863 and Add.1.

[199] S/2003/863.

7. *Commends* the Truth and Reconciliation Commission for its work, encourages States to contribute generously to it, and welcomes the intention of the Government of Sierra Leone to establish a Human Rights Commission;

8. *Expresses its strong support* for the efforts of the Economic Community of West African States towards building peace in the subregion, and encourages the Presidents of the member States of the Mano River Union to resume dialogue and to implement their commitments to building regional peace and security;

9. *Welcomes* the deployment of forces of the Economic Community of West African States to Liberia, supported by the Mission, reiterates its demand that armed groups in Liberia refrain from illegal incursions into Sierra Leone, and encourages the Sierra Leonean armed forces, together with the Mission, to maintain intensive patrolling of the border with Liberia;

10. *Encourages* the continued support of the Mission, within its capabilities and areas of deployment, for the voluntary return of refugees and displaced persons;

11. *Welcomes* the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone, with any additional recommendations;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4829th meeting.

Decisions

On 3 December 2003, the President of the Security Council addressed the following letter to the Secretary-General:[200]

"I have the honour to inform you that your letter dated 28 November 2003 concerning your decision to appoint Mr. Daudi Ngelautwa Mwakawago, of the United Republic of Tanzania, as your Special Representative for Sierra Leone[201] has been brought to the attention of the members of the Security Council. They take note of the information and decision contained in your letter."

On 10 March 2004, the President of the Security Council addressed the following letter to the Secretary-General:[202]

"The members of the Security Council thank you for your letter dated 26 February 2004,[203] in which you draw their attention to the difficulties faced by the Special Court for Sierra Leone with regard to its third-year budget. They have also taken note of your proposal that the Council invite you to bring the matter to the attention of the General Assembly with a view to seeking the appropriation of funds to the Court, while preserving the independence of the Court.

"Having consulted the Council members, I am pleased to inform you that they have no objection to your proposal with regard to supplementing voluntary contributions that have been pledged but are as yet unpaid, as well as those that have been received.

"It is, of course, the understanding of Council members that any action you may take with the General Assembly on this issue will in no way affect the independence and structure of the Special Court for Sierra Leone as established by the Agreement between the United Nations and the Government of Sierra Leone signed on 16 January 2002."[204]

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[200] S/2003/1143.

[201] S/2003/1142.

[202] S/2004/183.

[203] S/2004/182.

At its 4938th meeting, on 30 March 2004, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Twenty-first report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2004/228)".

Resolution 1537 (2004)
of 30 March 2004

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Commending the efforts of the Economic Community of West African States towards building peace in the subregion, and encouraging the Presidents of the member States of the Mano River Union to resume dialogue and to renew their commitment to building regional peace and security,

Expressing its appreciation to those Member States providing troops, civilian police personnel and support elements to the United Nations Mission in Sierra Leone,

Having considered the report of the Secretary-General of 19 March 2004,[205]

Welcoming the significant progress made towards the benchmarks for the drawdown of the Mission, in accordance with Security Council resolutions 1436 (2002) of 24 September 2002 and 1492 (2003) of 18 July 2003, and commending the Mission for the progress made to date in the adjustments to its size, composition and deployment,

Noting, however, that progress towards the benchmarks remains fragile and some major gaps still remain, in particular with regard to the capacity of the Sierra Leone police and armed forces to maintain security and stability effectively,

Reiterating the importance of the effective consolidation of stability and State authority throughout Sierra Leone, particularly in the sensitive diamond-producing areas and in the border areas, and stressing continued United Nations support to the Government of Sierra Leone in fulfilling these objectives,

Emphasizing the importance of free, fair and transparent local elections in May 2004, and encouraging the Government of Sierra Leone to make the necessary preparations, assisted by the Mission, within its mandate,

Encouraging the Truth and Reconciliation Commission to produce its report as soon as possible, and welcoming the intention of the Government of Sierra Leone to establish a Human Rights Commission thereafter,

Noting the Secretary-General's analysis of the need for a significantly reduced United Nations peacekeeping presence to remain in Sierra Leone into 2005,

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[204] S/2002/246 and Corr.2 and 3, appendix II.

[205] S/2004/228.

Emphasizing the importance of the Government of Sierra Leone assuming full responsibility for national security as soon as possible,

1. *Decides* that the mandate of the United Nations Mission in Sierra Leone shall be extended for a period of six months until 30 September 2004;

2. *Welcomes* the intention of the Secretary-General to adjust the timetable for the drawdown of the Mission during 2004, in order to ensure a more gradual reduction in its military strength, as outlined in paragraph 72 of his report;[205]

3. *Urges* the Government of Sierra Leone to intensify its efforts to develop an effective and sustainable police force, army, penal system and independent judiciary, so that the Government can rapidly take over from the Mission full responsibility for maintaining law and order throughout Sierra Leone, and encourages donors and the Mission, in accordance with its mandate, to continue to assist the Government in this regard;

4. *Also urges* the Government of Sierra Leone to continue to strengthen its control over and regulation of diamond mining, including through the High-level Steering Committee;

5. *Decides* that a residual Mission presence will remain in Sierra Leone, for an initial period of six months from 1 January 2005, reduced from the December 2004 level of 5,000 troops to a new ceiling of 3,250 troops, 141 military observers and 80 United Nations civilian police personnel by 28 February 2005, and requests the Secretary-General to proceed with planning on the basis of the recommendations contained in his report, in order to ensure a seamless transition from the current configuration of the Mission to the residual presence;

6. *Affirms its intention* to confirm the precise tasks of the residual Mission presence, and the benchmarks for its duration, no later than 30 September 2004;

7. *Requests* the Secretary-General to provide by 15 September 2004 a progress report, including progress made in the work of the Special Court for Sierra Leone, progress in resolving the conflict in Liberia, further increases in the capability of the Sierra Leone police and armed forces and strengthened cooperation among United Nations missions in the subregion, with recommendations for any modifications that such progress might allow to the size, composition, duration and benchmarks of the residual Mission presence;

8. *Welcomes* the intention of the Secretary-General to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone, including by quarterly assessments of progress against the benchmarks for the drawdown of the Mission, including the capacity of the Sierra Leone security sector;

9. *Expresses its appreciation* for the essential work being carried out by the Special Court for Sierra Leone, notes with serious concern the precarious financial situation of the Court for its third year of operation, urges all countries to submit their outstanding pledged funds immediately, supports the request by the Secretary-General to the General Assembly to consider a contribution to the financing of the Court from the regular budget, as contained in the report of the Secretary-General to the General Assembly of 15 March 2004,[206] and urges all States to cooperate fully with the Court;

10. *Commends* the efforts of the Secretary-General to establish cooperation between the United Nations missions in the subregion, and welcomes his intention, set out in paragraph 65 of his report,[205] to submit recommendations to the Council by the end of 2004 on how such cooperation might be strengthened;

11. *Requests* the Mission to share its experience with the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire and to carry out its mandate in close

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[206] A/58/733.

liaison with them, especially in the prevention of movements of arms and combatants across borders and in the implementation of disarmament, demobilization and reintegration programmes;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4938th meeting.

THE SITUATION IN BURUNDI[207]

Decisions

At its 4832nd meeting, held in private on 22 September 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4832nd meeting, held in private on 22 September 2003, the Security Council considered the item entitled 'The situation in Burundi'.
>
> "Mr. Domitien Ndayizeye, President of the Republic of Burundi, was invited, in response to his request, to participate in the discussion, in accordance with rule 37 of the provisional rules of procedure of the Council.
>
> "The Council extended an invitation under rule 39 of its provisional rules of procedure to Mr. Alpha Oumar Konaré, Chairperson of the Commission of the African Union.
>
> "The Council heard statements by President Ndayizeye and Mr. Konaré.
>
> "Members of the Council, President Ndayizeye and Mr. Konaré had a constructive exchange of views."

On 29 September 2003, the President of the Security Council addressed the following letter to the Secretary-General:[208]

> "I have the honour to inform you that your letter of 29 May 2003 concerning the additional tasks for the United Nations Office in Burundi as a result of the ceasefire agreements signed between the Transitional Government of Burundi and the armed groups[209] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and your proposal to strengthen the staffing and resources of the Office."

At its 4876th meeting, on 4 December 2003, the Council decided to invite the representatives of South Africa and Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Gert Rosenthal, President of the Economic and Social Council.

At its 4891st meeting, on 22 December 2003, the Council considered the item entitled:

"The situation in Burundi

> "Report of the Secretary-General to the Security Council on the situation in Burundi (S/2003/1146)".

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[207] Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.

[208] S/2003/921.

[209] S/2003/920.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[210]

"The Security Council reaffirms its full support for the peace process of the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000 (the Arusha Agreement), calls upon all the Burundian parties to implement their commitments and assures them of its determination to support their efforts in this direction.

"The Council welcomes the progress recently made by the Burundian parties, in particular by the signing, at Pretoria, of the protocols of 8 October and 2 November 2003 and by the conclusion, on 16 November 2003 in Dar es Salaam, United Republic of Tanzania, of the Global Ceasefire Agreement between the Transitional Government of Burundi and the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie of Mr. Nkurunziza.[211]

"The Council welcomes with satisfaction the formation of the new Transitional Government and the participation of the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie in the transitional institutions; it again urges the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Rwasa, the last rebel group that has not yet joined the peace process of the Arusha Agreement, to do so without further delay.

"The Council pays tribute to the efforts of the States of the Regional Initiative and of the Facilitation, in particular South Africa, in favour of peace in Burundi; it expresses its support for the mission of the African Union in Burundi and for its South African, Ethiopian and Mozambican contingents, and calls upon donors to give it financial, material and logistical support as soon as possible.

"The Council welcomes the recent mission of the Ad Hoc Advisory Group on Burundi of the Economic and Social Council, and calls upon donors and the international financial community to mobilize during the next Forum of Burundi's Partners for Development, scheduled for 13 and 14 January 2004 in Brussels, and to honour fully the pledges made so far.

"The Council expresses its concern at the dire humanitarian situation of the population of Burundi and recalls that all parties involved are responsible for the security of the civilian population, which includes facilitating total, unrestricted and immediate access to the population for the humanitarian organizations.

"The Council condemns all acts of violence as well as violations of human rights and international humanitarian law, and reaffirms its determination to support Burundian efforts to prevent such acts, based on the rule of law, in order to put an end to impunity.

"The Council takes note of the address made by the President of the Republic of Burundi, Mr. Ndayizeye, to the Council on 22 September 2003. It takes note also of the request made by the Deputy President of the Republic of South Africa, Mr. Zuma, on behalf of the States of the Regional Initiative, when he spoke before the Council on 4 December 2003, and which is referred to in paragraph 71 of the latest report of the Secretary-General on the situation in Burundi, of 4 December 2003.[212]

"The Council welcomes the decision of the Secretary-General to examine the situation with a view to submitting recommendations to the Council, and requests him in this regard to undertake, as soon as he deems it convenient, the appropriate preparatory work and assessment on how the United Nations might provide the most efficient support for the full implementation of the Arusha Agreement.

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[210] S/PRST/2003/30.

[211] S/2003/1105, annex.

[212] S/2003/1146.

"The Council takes note of the latest report of the Secretary-General on the situation in Burundi; it welcomes the work carried out, in often difficult conditions, by the Special Representative of the Secretary-General and the staff of the United Nations Office in Burundi, and approves the recommendations contained in paragraphs 63 to 65 of the report regarding the renewal of the mandate of the Office."

On 26 January 2004, the President of the Security Council addressed the following letter to the Secretary-General:[213]

"On 23 August 2002, you transmitted to the President of the Security Council a letter addressed to you by the then President of the Republic of Burundi, Pierre Buyoya, requesting the establishment by the Council of an international judicial commission of inquiry as provided for in the Arusha Peace and Reconciliation Agreement for Burundi.

"In conformity with the recommendations of their last mission to Central Africa,[214] members of the Council have examined that request. They have agreed to request you to dispatch to Burundi an assessment mission by the Secretariat. The objective of the mission will be to consider the advisability and feasibility of establishing such a commission. The terms of reference of the mission, which were approved by the Council during its consultations held on 23 January 2004, are contained in the annex to the present letter.

"Annex

"International judicial commission of inquiry for Burundi

"Terms of reference of an assessment mission to Burundi by the Secretariat

"1. The objective of the mission will be to consider the advisability and feasibility of establishing an international judicial commission of inquiry for Burundi, as requested by the President of the Republic of Burundi, Pierre Buyoya, in his letter dated 24 July 2002 addressed to the Secretary-General, who transmitted it to the members of the Security Council on 23 August 2002.

"2. Upon completion of its work and bearing in mind the needs of the Burundian judicial system, the mission should specify in its report the modalities and options for the establishment of an international commission of inquiry, should the Council so decide. The assessment team should refer to the Arusha Peace and Reconciliation Agreement for Burundi of 28 August 2000 with regard to the creation of such a commission, and consider approaches that will best support the creation in Burundi of a just and lasting peace based on democratic principles, fostering truth and reconciliation while achieving justice.

"3. To this end, the mission may:

"(*a*) With regard to capacities in Burundi:

- In the context of efforts to combat impunity, assess the progress made towards implementation of the judicial reforms provided for in the Arusha Agreement of 28 August 2000 and the capacity of the Burundian judicial system to bring criminals to trial in an impartial and effective manner, particularly its powers of investigation;

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[213] S/2004/72.

[214] See S/2003/653.

- Recommend structures within the framework of an international commission that would leave lasting positive benefits to the capacity of the Burundian judicial system in support of reforms provided for in the Arusha Agreement;

- Assess the progress made towards the establishment of a national truth and reconciliation commission (its composition, mandate, impact on Burundian society) and the implications of the law passed on 16 April 2003 by the National Assembly but awaiting Senate approval and presidential signature, which provides for provisional immunity for political leaders returning from exile;

"(*b*) With regard to the added value of an international commission of inquiry:

- Seek the advice of the governmental and judicial authorities of Burundi and other relevant bodies (Implementation Monitoring Committee of the Arusha Agreement, field office of the Office of the United Nations High Commissioner for Human Rights, Facilitator of the peace process, non-governmental organizations) on the usefulness of the existing reports of inquiries cited in the letter from President Buyoya to the Secretary-General – the 1985 Whitaker report, the 1994 report of non-governmental organizations, the 1994–1995 report of Ambassadors Siméon Aké and Martin Huslid,[215] the 1996 report of the International Commission of Inquiry[216] – and on their impact on the Burundian peace process;

- Determine the possible division of competencies between the national truth and reconciliation commission and the international commission of inquiry, particularly with regard to their terms of reference, the nature of their powers, the term of their mandates, complementary investigatory responsibilities, the status of the individuals to be investigated and the question of amnesty;

"(*c*) With regard to the modalities proposed by the President of Burundi in the event of the establishment of an international commission of inquiry:

- Together with the Burundian authorities, examine the possibility of limiting more effectively the commission's temporal competence to specific events;

- Assess the capacity of the Government of Burundi to guarantee the security of the members of the commission and to facilitate their investigations (including access to witnesses);

- Based on previous experience, evaluate the logistical, human and financial resources that the establishment of such a commission would require from the United Nations;

- Clearly state what the expectations of the Burundian authorities are regarding the legal implications of the conclusions of the report of the commission (including trial by national courts or any international jurisdiction).

"4. The mission would work in collaboration with the Special Representative of the Secretary-General and, where necessary, would have available to it the resources of the United Nations Office in Burundi and, as appropriate, of the African Mission in Burundi of the African Union. In addition to the governmental and judicial authorities of Burundi, it may consult with representatives of the legal profession, the Facilitator of the Burundian peace process, the staff of the field office of the Office of the United Nations High Commissioner for Human Rights in Burundi, the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Burundi, and non-governmental organizations.

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[215] S/1995/157, annex.

[216] See S/1996/682.

"5. The mission shall enjoy the full cooperation of the Government of Burundi. It shall be provided with the necessary facilities to enable it to discharge its mandate and shall, in particular, be guaranteed:

"(*a*) Freedom of movement throughout the territory of Burundi; free access to all places that have a bearing on the work of the mission, information and documentary material in possession of governmental and local authorities; and the freedom to meet and interview representatives of governmental and local authorities, political parties, rebel groups, community leaders, non-governmental organizations, private institutions and the media, and any such persons whose testimony is considered necessary for the fulfilment of its mandate;

"(*b*) Appropriate security arrangements for the personnel of the mission;

"(*c*) The necessary privileges and immunities under the Convention on the Privileges and Immunities of the United Nations of 13 February 1946."[217]

On 1 April 2004, the President of the Security Council addressed the following letter to the Secretary-General:[218]

"Your letter of 26 March 2004,[219] in which you indicate your intention to begin immediately the planning and preparations, and consultations with potential troop-contributing countries, for a United Nations peacekeeping operation in Burundi, was brought to the attention of the members of the Security Council. I have the honour to inform you that the members of the Council, without prejudice to the decision the Council may take on the establishment of such an operation, approve your proposal."

At its 4975th meeting, on 21 May 2004, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Report of the Secretary-General on Burundi (S/2004/210 and Add.1)".

At the same meeting, in response to the request dated 19 May 2004 from the Permanent Representative of Mozambique to the United Nations addressed to the President of the Security Council,[220] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Filipe Chidumo, Permanent Representative of Mozambique, in his capacity as representative of the Chairperson of the African Union.

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[217] General Assembly resolution 22 A (I).

[218] S/2004/275.

[219] S/2004/274.

[220] Document S/2004/415, incorporated in the record of the 4975th meeting.

Resolution 1545 (2004)
of 21 May 2004

The Security Council,

Recalling its resolutions as well as the statements by its President on Burundi, in particular its resolution 1375 (2001) of 29 October 2001 and the statements by its President of 18 December 2002[221] and 22 December 2003,[210]

Reaffirming its strong commitment to the respect of the sovereignty, independence, territorial integrity and unity of Burundi, and recalling the importance of the principles of good-neighbourliness and non-interference, and of regional cooperation,

Reaffirming its full support for the process of the Arusha Peace and Reconciliation Agreement for Burundi, signed at Arusha, United Republic of Tanzania, on 28 August 2000 (hereinafter "the Arusha Agreement"), calling upon all the Burundian parties to honour fully their commitments, and assuring them of its determination to support their efforts to that end,

Encouraging in particular the transitional institutions of Burundi to enact without delay the laws and regulations required for the organization of the electoral process under the Arusha Agreement, so that this process can take place before the expiration of the transitional period on 31 October 2004,

Taking note with satisfaction of the ceasefire agreement signed on 7 October 2002 by the Transitional Government of Burundi with the Forces pour la défense de la démocratie of Mr. Jean Bosco Ndayikengurukiye and the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Alain Mugabarabona, as well as the Global Ceasefire Agreement signed on 16 November 2003 at Dar-es-Salaam, United Republic of Tanzania, between the Transitional Government and the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie of Mr. Pierre Nkurunziza,[211]

Reiterating its concern at the continuing hostilities in certain parts of the country, underlining that there cannot be a military solution to Burundi's problems, urging all the parties to observe an immediate ceasefire, and stressing the importance attached to the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Agathon Rwasa, the last armed movement that has still not done so, participating in the peace process of the Arusha Agreement,

Taking note in this regard of the talks which were started between the President of the Republic of Burundi, Mr. Domitien Ndayizeye, and this armed movement at the meeting held at Oisterwijk, the Netherlands, from 18 to 21 January 2004, as well as the congress held at Kigoma, United Republic of Tanzania, from 18 to 21 April 2004 by the Parti pour la libération du peuple hutu-Forces nationales de libération of Mr. Agathon Rwasa, and urging the latter to conclude an agreement with the Transitional Government without delay with a view to a complete cessation of hostilities and its participation in the transitional institutions,

Condemning all acts of violence, as well as human rights and international humanitarian law violations, and particularly concerned by the increasing incidents of rape, including mass rapes,

Reaffirming its determination to support the efforts of Burundians to bring the perpetrators of such acts and violations to justice on the basis of the rule of law in order to put an end to situations of impunity, and calling upon the parties and transitional authorities to take without delay all necessary measures to that end,

Expressing its concern at the tragic humanitarian situation of a large majority of the Burundian population, recalling that all the parties are responsible for the security of the civilian populations, and recalling in particular, in this regard, its resolution 1325 (2000) of 31 October 2000 on women and peace and security, its resolutions 1379 (2001) of 20 November 2001,

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[221] S/PRST/2002/40.

1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004 on children and armed conflict, and its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

Taking note of the progress achieved in preparing the disarmament, demobilization and reintegration programme for the combatants, calling upon the parties to commit themselves firmly to that programme without delay, and encouraging the international financial institutions and donors to support the programme,

Expressing its concern at the deteriorating economic situation in Burundi in the context of the conflict, and recognizing that any improvement in security should be matched by tangible economic and social benefits for the population,

Considering that the voluntary and sustainable return of refugees and internally displaced persons will be a critical factor for the consolidation of the peace process, and will require a just solution of the issue of land ownership,

Welcoming the conclusions of the Forum of Burundi's Development Partners, which was held at Brussels on 13 and 14 January 2004,[222] and calling upon donors to honour their pledges,

Paying tribute to the efforts made by the African Union as well as by the States which are members of the Regional Initiative, especially Uganda and the United Republic of Tanzania, and the Facilitation, in particular South Africa, to bring peace to Burundi, and encouraging the African Union to maintain a strong presence in Burundi to accompany the efforts of the Burundian parties, as specified in the Arusha Agreement and subsequent agreements,

Welcoming the efforts of the African Mission in Burundi and the contingents from South Africa, Ethiopia and Mozambique which make it up, as well as the Member States which have assisted the Mission in its deployment,

Encouraging the efforts being undertaken to train a joint Burundian protection unit to ensure continuing security of the leaders of the transitional institutions, and underlining the need for that unit to be operational as soon as possible,

Taking note of the statements made before the Council by the President of Burundi on 22 September 2003 and by the Deputy President of the Republic of South Africa, Mr. Jacob Zuma, on 4 December 2003,[223] in favour of transforming the African Mission in Burundi into a United Nations peacekeeping operation, and taking note also, in that regard, of the letter dated 15 March 2004 from Mr. Thérence Sinunguruza, Minister for Foreign Affairs and Cooperation of Burundi, addressed to the President of the Security Council,[224] as well as the letter dated 17 March 2004 from Mr. Alpha Oumar Konaré, Chairperson of the Commission of the African Union, addressed to the Secretary-General,[225]

Aware of the difficulty of sustaining stability in Burundi unless peace is restored beyond its borders, in particular in the Democratic Republic of the Congo, and underlining how important it is for all the States concerned, especially those of the region, to cooperate towards that end, and for the United Nations to coordinate its efforts in the two countries,

Having considered the report of the Secretary-General on Burundi,[226]

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[222] See S/2004/49, annex.

[223] See S/PV.4876.

[224] S/2004/208, annex.

[225] S/2004/270, annex.

[226] S/2004/210 and Add.1.

Welcoming with satisfaction and encouraging the efforts of the United Nations to enhance the awareness of peacekeeping personnel of the need to prevent and combat HIV/AIDS and other communicable diseases,

Noting that obstacles remain to Burundi's stability, and determining that the situation in that country continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the recommendations contained in the report of the Secretary-General on Burundi;[226]

2. *Decides* to authorize, for an initial period of six months as from 1 June 2004, with the intention to renew it for further periods, the deployment of a peacekeeping operation called the United Nations Operation in Burundi (the acronym ONUB to be used in all languages), pursuant to the mandate specified in paragraphs 5 to 7 below, in order to support and help to implement the efforts undertaken by Burundians to restore lasting peace and bring about national reconciliation, as provided under the Arusha Agreement;

3. *Decides also* that ONUB shall be headed by the Special Representative of the Secretary-General for Burundi, who chairs the Implementation Monitoring Committee of the Arusha Agreement, and shall initially be composed of existing forces of the African Mission in Burundi, and therefore requests the Secretary-General, acting in liaison with the African Union, to ensure the transfer of authority over the Mission, within the framework of ONUB, to his Special Representative;

4. *Decides further* that ONUB shall consist of a maximum of 5,650 military personnel, including 200 observers and 125 staff officers, and up to 120 civilian police personnel, as well as the appropriate civilian personnel;

5. *Authorizes* ONUB to use all necessary means to carry out the following mandate, within its capacity and in the areas where its armed units are deployed, and in coordination with humanitarian and development communities:

(*a*) To ensure the respect of the ceasefire agreements, by monitoring implementation and investigating violations of those agreements;

(*b*) To promote the re-establishment of confidence between the Burundian forces present, monitor and provide security at their pre-disarmament assembly sites, collect and secure weapons and materiel to dispose of it as appropriate, and contribute to the dismantling of militias as called for in the ceasefire agreements;

(*c*) To carry out the disarmament and demobilization portions of the national programme of disarmament, demobilization and reintegration of combatants;

(*d*) To monitor the quartering of the Armed Forces of Burundi and their heavy weapons, as well as the disarmament and demobilization of the elements that need to be disarmed and demobilized;

(*e*) To monitor, to the extent possible, the illegal flow of arms across the national borders, including Lake Tanganyika, in cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo and, as appropriate, with the group of experts referred to in paragraph 10 of resolution 1533 (2004) of 12 March 2004;

(*f*) To contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and facilitate the voluntary return of refugees and internally displaced persons;

(*g*) To contribute to the successful completion of the electoral process stipulated in the Arusha Agreement by ensuring a secure environment for free, transparent and peaceful elections to take place;

(*h*) Without prejudice to the responsibility of the Transitional Government of Burundi, to protect civilians under imminent threat of physical violence;

(*i*) To ensure the protection of United Nations personnel, facilities, installations and equipment, as well as the security and freedom of movement of ONUB personnel, and to coordinate and conduct, as appropriate, mine action activities in support of its mandate;

6. *Decides* that ONUB shall provide advice and assistance, within its capacity and subject to carrying out tasks stipulated in paragraph 5 above, to the Transitional Government and authorities to contribute to their efforts:

(*a*) To monitor Burundi's borders, with special attention to refugees, as well as to movements of combatants, especially in the Cibitoké province;

(*b*) To carry out institutional reforms as well as the constitution of the integrated national defence and internal security forces and, in particular, the training and monitoring of the police, while ensuring that they are democratic and fully respect human rights and fundamental freedoms;

(*c*) To proceed with electoral activities;

(*d*) To complete implementation of the reform of the judiciary and correction system, in accordance with the Arusha Agreement;

(*e*) To ensure, in close liaison with the Office of the United Nations High Commissioner for Human Rights, the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, and investigate human rights violations to put an end to impunity;

7. *Decides also* that ONUB shall cooperate with the Government and authorities of Burundi, as well as their international partners, to ensure the coherence of their work, in assisting the Government and authorities of Burundi in:

(*a*) Extending State authority and utilities throughout the territory, including civilian police and judicial institutions;

(*b*) Carrying out the national programme of disarmament, demobilization and reintegration of combatants and members of their families, including those coming from the territory of the Democratic Republic of the Congo, in liaison with the Government of that country and the United Nations Organization Mission in the Democratic Republic of the Congo, and with particular attention to the specific needs of women and children;

8. *Requests* the Secretary-General, through his Special Representative for Burundi, to conduct all the activities of the United Nations system in Burundi and to facilitate the coordination with other national, regional and international actors, in particular the African Union, of activities in support of the transition process, while ensuring that ONUB personnel give special attention to issues related to gender equality, as well as to the specific needs of children;

9. *Also requests* the Secretary-General to conclude agreements with States neighbouring Burundi to enable ONUB forces to cross their respective borders in pursuit of armed combatants, as may be necessary while carrying out their mandate;

10. *Requests* the Transitional Government of Burundi to conclude a status-of-forces agreement for ONUB with the Secretary-General within thirty days of the adoption of the present resolution, taking into consideration General Assembly resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and notes that, pending the conclusion of such an agreement, the model status-of-forces agreement for peacekeeping operations of 9 October 1990[227] shall apply provisionally;

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[227] A/45/594.

11. *Requests* all parties to cooperate fully with the deployment and operations of ONUB, in particular by ensuring the safety and freedom of movement of United Nations and associated personnel, as well as the personnel of humanitarian, development and aid organizations, throughout the territory of Burundi;

12. *Recalls* its resolution 1502 (2003) of 26 August 2003, reaffirms the obligation of all parties to comply fully with the rules and principles of international humanitarian law applicable to them related to the protection of humanitarian and United Nations personnel, and urges all those concerned to allow full, unimpeded access by humanitarian personnel to all people in need of assistance as set forth in applicable international humanitarian law;

13. *Requests* all parties and concerned States to facilitate the voluntary, safe and sustainable return of refugees and internally displaced persons, and to cooperate fully to this end with ONUB and the relevant international organizations;

14. *Underlines* the need for ONUB to have at its disposal an effective public information capacity, including through local and national radio, television and newspaper channels, to promote understanding of the peace process and the role of ONUB among local communities and the parties;

15. *Stresses* the importance of the full and unconditional implementation of the Arusha Agreement, and demands that all parties fulfil their obligations under that agreement in order to allow the electoral process, in particular the legislative elections, to take place before 31 October 2004;

16. *Reaffirms* the need for all parties to complete in a timely manner the execution of the programme for the regrouping and cantonment of combatants and to begin implementing as soon as possible the programme to dismantle all armed groups, including the militias, and the disarmament, demobilization and reintegration programme, giving particular attention to the specific needs of women and children, and to proceed as well, in parallel, with the restructuring of the armed forces and the internal security forces;

17. *Reaffirms also* the continued need to promote peace and national reconciliation and to foster accountability and respect for human rights in Burundi, and urges the Government of Burundi, specialized agencies, other multilateral organizations, civil society and Member States to accelerate their efforts to establish the Truth and Reconciliation Commission, as provided for in the Arusha Agreement;

18. *Expresses its deep concern* over the illicit flow of arms to armed groups and movements, in particular those which are not parties to the peace process under the Arusha Agreement, calls upon all States to halt that flow without prejudice to the Burundian national army and police forces whose integration is in progress, and expresses its intention to consider this issue further as soon as possible after the deployment of ONUB;

19. *Urges* the international financial institutions and the donor community to continue to contribute to the economic development of Burundi, in particular for the long term, including through the realization of pledges already made, to enable that country to achieve sustainable stability, and in order also to contribute to the wider stability of the region;

20. *Requests* the Secretary-General to ensure that his Special Representatives for Burundi and for the Democratic Republic of the Congo coordinate the activities of ONUB and the United Nations Organization Mission in the Democratic Republic of the Congo, share military information at their disposal, in particular concerning cross-border movements of armed elements and arms trafficking, and pool their logistic and administrative resources, to an extent that does not affect the ability to carry out their respective mandates, in order to maximize efficiency and cost-effectiveness;

21. *Decides* that ONUB shall carry out its mandate in close cooperation with the Mission, in particular concerning monitoring and prevention of movements of combatants across the border

between Burundi and the Democratic Republic of the Congo, as well as the implementation of the disarmament and demobilization programmes;

22. *Requests* the Secretary-General to keep the Council informed on a regular basis of developments in the situation in Burundi, the implementation of the Arusha Agreement and the execution of the mandate of ONUB and to submit a report on those developments every three months, including an evaluation of the strength of the military component, with a view to its adjusted reduction, taking account of the progress made on the ground and the tasks remaining to be accomplished;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4975th meeting.

Decisions

On 28 May 2004, the President of the Security Council addressed the following letter to the Secretary-General:[228]

> "I have the honour to inform you that your letter dated 24 May 2004 concerning your intention to appoint Ms. Carolyn McAskie, of Canada, as your Special Representative for Burundi and Head of the United Nations Operation in Burundi[229] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 21 July 2004, the President of the Security Council addressed the following letter to the Secretary-General:[230]

> "I have the honour to inform you that your letter dated 16 July 2004 concerning your nomination of Major General Derrick Mbuyiselo Mgwebi, of South Africa, as the Force Commander of the United Nations Operation in Burundi[231] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter."

JUSTICE AND THE RULE OF LAW: THE UNITED NATIONS ROLE

Decisions

At its 4833rd meeting, on 24 September 2003, the Security Council considered the item entitled "Justice and the rule of law: the United Nations role".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[232]

> "The Security Council met at the ministerial level on 24 September 2003 to consider 'Justice and the rule of law: the United Nations role'. Ministers expressed their respective views and understandings on, and reaffirmed the vital importance of, these issues, recalling the repeated emphasis given to them in the work of the Council, for example in the context

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[228] S/2004/434.

[229] S/2004/433.

[230] S/2004/584.

[231] S/2004/583.

[232] S/PRST/2003/15.

of the protection of civilians in armed conflict, in relation to peacekeeping operations and in connection with international criminal justice.

"The statements made on 24 September demonstrated the abundant wealth of relevant experience and expertise that exists within the United Nations system and in the Member States. Ministers considered that it would be appropriate to examine further how to harness and direct this expertise and experience so that it would be more readily accessible to the Council, to the wider United Nations membership and to the international community as a whole, so that the lessons and experience of the past could be, as appropriate, learned and built on. The Council welcomed in particular the offer by the Secretary-General to provide a report which could guide and inform further consideration of these matters.

"The Council invites all Members of the United Nations, and other parts of the United Nations system with relevant experience and expertise, to contribute to this process of reflection and analysis on these matters, beginning with the further meeting on this subject which will be convened on 30 September 2003."

At its 4835th meeting, on 30 September 2003, the Council decided to invite the representatives of Argentina, Australia, Austria, Azerbaijan, Bahrain, Brazil, Canada, the Democratic Republic of the Congo, Denmark, Finland, Italy, Japan, Jordan, Liechtenstein, New Zealand, the Philippines, the Republic of Korea, Romania, San Marino, Serbia and Montenegro, Sierra Leone, Sweden, Switzerland, Trinidad and Tobago, and Uruguay to participate, without vote, in the discussion of the item entitled "Justice and the rule of law: the United Nations role".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Hans Corell, Legal Counsel of the United Nations.

THE SITUATION IN GUINEA-BISSAU[233]

Decisions

At its 4834th meeting, on 29 September 2003, the Security Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled "The situation in Guinea-Bissau".

At the same meeting, in response to a request contained in a letter dated 25 September 2003 from the Permanent Representative of Angola to the United Nations, addressed to the President of the Security Council,[234] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. José Ramos Horta, Minister for Foreign Affairs of the Democratic Republic of Timor-Leste and Special Envoy of the Community of Portuguese-speaking Countries to Guinea-Bissau.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tuliameni Kalomoh, Assistant Secretary-General for Political Affairs.

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[233] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[234] Document S/2003/917, incorporated in the record of the 4834th meeting.

On 14 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[235]

> "I have the honour to inform you that your letter dated 11 November 2003 concerning the mandate of the United Nations Peace-building Support Office in Guinea-Bissau, which will expire on 31 December 2003,[236] has been brought to the attention of the members of the Security Council. They take note of your proposal to extend the mandate of the Office for one year, until 31 December 2004, and of the revised mandate of the Support Office, as indicated in your letter."

At its 4860th meeting, held in private on 18 November 2003, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4860th meeting, held in private on 18 November 2003, the Security Council considered the item entitled 'The situation in Guinea-Bissau'.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 37 of the Council's provisional rules of procedure to the President of the Republic of Guinea-Bissau, Mr. Henrique Perreira Rosa.
>
> "The President extended invitations under rule 39 of the Council's provisional rules of procedure to the President of the Economic and Social Council, Mr. Gert Rosenthal; the representative of the current Chairman of the Economic Community of West African States, Mr. Nana Effah-Apenteng; the representative of the Community of Portuguese-speaking Countries, Mr. Henrique Valle; the Chairman of the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council, Mr. Dumisani Kumalo; and the Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in Guinea-Bissau, Mr. David Stephen.
>
> "The Secretary-General, the President of Guinea-Bissau, members of the Security Council, the President of the Economic and Social Council, the representative of the current Chairman of the Economic Community of West African States, the representative of the Community of Portuguese-speaking Countries, the Chairman of the Ad hoc Advisory Group on Guinea-Bissau of the Economic and Social Council and the Representative of the Secretary-General and Head of the United Nations Peace-building Support Office in Guinea-Bissau had a constructive exchange of views."

At its 4992nd meeting, on 18 June 2004, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

> "The situation in Guinea-Bissau
>
> "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in that country (S/2004/456)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[237]

> "The Security Council, recalling its previous statements on Guinea-Bissau, in particular the statement by its President of 19 June 2003,[238] welcomes the report of the

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[235] S/2003/1097.

[236] S/2003/1096.

[237] S/PRST/2004/20.

[238] S/PRST/2003/8.

Secretary-General of 4 June 2004 on developments in Guinea-Bissau and on activities of the United Nations Peace-building Support Office in that country.[239]

"In this regard, the Council expresses its satisfaction regarding progress made by national authorities towards restoring constitutional order, in accordance with the Transition Charter provisions and calendar, in particular the installation of a new National Popular Assembly and a new Government, thus completing the first phase of the transitional process due to end with the holding of presidential elections by March 2005, and generating the environment for growing international confidence and support.

"The Council acknowledges, with appreciation, the manner in which the country's principal actors and the political forces managed to reach consensus on critical political challenges they faced during and after the elections, and encourages them to stay the course.

"The Council also encourages all parties, and the new Government established on 12 May 2004, to faithfully adhere to the provisions of the Transition Charter in order to achieve and consolidate national reconciliation and to ensure the full restoration of constitutional order. It further encourages the authorities to continue to strengthen the rule of law and respect for human rights and to resolve outstanding human rights issues.

"The Council commends the national authorities and the people of Guinea-Bissau for their continued commitment and dedication to democracy.

"The Council expresses, nonetheless, its concern with the fragility of the democratization process in Guinea-Bissau, due mainly to the country's deep-rooted structural problems, including the weakness of State institutions and structures, as well as the persistent economic and social crisis.

"The Council further expresses its concern about the need to improve the situation of the military, in particular the payment of salary arrears, which continues to be seen as a potentially destabilizing factor. It welcomes the Government's commitment to make all efforts aimed at addressing the issue of salary arrears and the reorganization of the national armed forces and invites the international community to fully support such efforts.

"The Council welcomes the improved dialogue between the Government of Guinea-Bissau and the Bretton Woods institutions, and urges the Government to continue to implement its commitments in the areas of fiscal responsibility and good governance. It highlights the importance that those efforts be matched by the resumption of adequate levels of international assistance.

"The Council acknowledges and also welcomes the assistance provided to Guinea-Bissau by bilateral and multilateral partners, in particular the United Nations Development Programme and the World Bank, and encourages their enhanced constructive involvement in the country.

"The Council underlines the importance it attaches to the organization of a round-table conference to take place in the last quarter of 2004, which it considers of utmost relevance to addressing some of the most urgent needs of Guinea-Bissau. In the interim, the Council reiterates its appeals to the international community to contribute financially to the Emergency Economic Management Fund for Guinea-Bissau, managed by the United Nations Development Programme.

"The Council recognizes and commends the work of the United Nations Peace-building Support Office in Guinea-Bissau and the entire United Nations country team for their outstanding support and contribution to the process of normalization of the political situation and stability in Guinea-Bissau.

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[239] S/2004/456.

"The Council reaffirms the importance of the regional dimension in the solution of the problems faced by Guinea-Bissau, and, in this regard, welcomes the role being played by the African Union, the West African Economic and Monetary Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries in the peace-building process in Guinea-Bissau.

"The Council also commends the efforts by the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Council, the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council and the Group of Friends of Guinea-Bissau aimed at assisting the country to address both its short-term post-conflict crisis and longer-term development goals.

"The Council looks forward to conclusions and recommendations of its mission to West Africa, which includes Guinea-Bissau."

THE SITUATION IN AFGHANISTAN[240]

Decisions

On 30 September 2003, the President of the Security Council addressed the following letter to the Secretary-General:[241]

"I have the honour to refer to paragraph 58 of your report of 23 July 2003 to the Security Council on the situation in Afghanistan and its implications for international peace and security,[242] in which you recommended an enlargement of the Military Advisory Unit from eight officers to a total strength of twelve officers. The Council has taken note of your intention to increase this Unit."

On 1 October 2003, the President of the Security Council addressed the following letter to the Secretary-General:[243]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Afghanistan from 31 October to 7 November 2003, which will be led by Ambassador Gunter Pleuger. The members of the Council have agreed on the terms of reference of the mission (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission will be as follows:

"Germany (Ambassador Gunter Pleuger, head of mission)
"Angola (Counsellor Candido Pereira dos Santos Van-Dunem)
"Bulgaria (Ambassador Stefan Tafrov)
"Cameroon (Minister Counsellor Mathieu Blaise Banoum)
"Chile (Counsellor Armin Andereya)
"China (Minister Counsellor Jingye Cheng)
"France (Ambassador Jean-Marc de La Sablière)
"Guinea (Minister Counsellor Boubacar Diallo)
"Mexico (Ambassador Adolfo Aguilar Zinser)
"Pakistan (Ambassador Masood Khalid)

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[240] Resolutions or decisions on this question were also adopted by the Security Council in 1994, from 1996 to 2002 and during the period from 1 January to 31 July 2003.

[241] S/2003/922.

[242] S/2003/754 and Corr.1.

[243] S/2003/930.

"Russian Federation (Ambassador Gennadi Gatilov)
"Spain (Ambassador Inocencio Arias)
"Syrian Arab Republic (Second Secretary Bassam Sabagh)
"United Kingdom of Great Britain and Northern Ireland (Ambassador Emyr Jones Parry)
"United States of America (Ambassador John D. Negroponte)

"I should be grateful if you could have the Secretariat make all necessary arrangements to facilitate the work of the mission.

"Annex

"Terms of reference of the Security Council mission to Afghanistan

"1. The members of the Security Council have decided to send a mission to Afghanistan. The visit will take place from 31 October to 7 November 2003. The mission will visit Kabul, Herat, Kandahar and Mazar-e-Sharif.

"2. The mission has the following objectives:

- To underscore the international community's unwavering commitment to the peace and reconstruction process in Afghanistan and to promote further international and regional support to this end
- To review the progress achieved so far and to encourage the Afghan Transitional Administration to further strengthen the implementation of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement),[244] inter alia, with respect to security sector reform, disarmament, demobilization and reintegration, and the election process
- To observe the operations of the United Nations Assistance Mission in Afghanistan, including its role in assisting the Afghan Transitional Administration in preparing for the elections and in implementing the constitution and in coordinating all United Nations activities
- To observe the operations of the International Security Assistance Force in Afghanistan, to discuss ways to improve the security situation and to expand the authority of the Afghan Transitional Administration throughout the country, and, in this context, to obtain a fuller understanding of the role of the provincial reconstruction teams
- To review the humanitarian and human rights situation, in particular with regard to women, children, refugees and internally displaced persons, and to assess the status of rehabilitation and reconstruction efforts
- To review the implementation of the Declaration on Good-neighbourly Relations signed in Kabul on 22 December 2002[245]
- To convey a strong message to regional and factional leaders about the need to reject all violence, condemn extremist, terrorist and illegal drug activities, ensure public order and safety, promote inter-ethnic reconciliation and support the implementation of the Bonn Agreement and fully cooperate with the Afghan Transitional Administration in line with the agreement of 22 May 2003[246] and the Mission to these ends."

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[244] See S/2001/1154.

[245] S/2002/1416, annex.

[246] See S/2003/641, annex.

At its 4840th meeting, on 13 October 2003, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Letter dated 7 October 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/970)".

Resolution 1510 (2003)
of 13 October 2003

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002 and 1444 (2002) of 27 November 2002,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves, and welcoming the continuing cooperation of the Afghan Transitional Authority with the International Security Assistance Force,

Reaffirming the importance of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement),[244] and recalling in particular annex I thereto, which, inter alia, provides for the progressive expansion of the Force to other urban centres and other areas beyond Kabul,

Stressing the importance of extending central government authority to all parts of Afghanistan, of comprehensive disarmament, demobilization and reintegration of all armed factions, and of security sector reform, including reconstitution of the new Afghan National Army and Afghan National Police,

Recognizing the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan,

Noting the letter dated 10 October 2003 from the Minister for Foreign Affairs of Afghanistan requesting the assistance of the Force outside Kabul,[247]

Noting also the letter dated 6 October 2003 from the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General regarding a possible expansion of the mission of the Force,[248]

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the Force, in consultation with the Afghan Transitional Authority and its successors,

Acting for these reasons under Chapter VII of the Charter,

1. *Authorizes* expansion of the mandate of the International Security Assistance Force to allow it, as resources permit, to support the Afghan Transitional Authority and its successors in the

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[247] S/2003/986, annex.

[248] S/2003/970, annex II.

maintenance of security in areas of Afghanistan outside of Kabul and its environs, so that the Afghan authorities as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operate in a secure environment, and to provide security assistance for the performance of other tasks in support of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement);[244]

2. *Calls upon* the Force to continue to work in close consultation with the Afghan Transitional Authority and its successors and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the mandate of the Force, and to report to the Security Council on the implementation of the measures set out in paragraph 1 above;

3. *Decides* to extend the authorization of the Force, as defined in resolution 1386 (2001) and the present resolution, for a period of twelve months;

4. *Authorizes* the Member States participating in the Force to take all necessary measures to fulfil its mandate;

5. *Requests* the leadership of the Force to provide quarterly reports on the implementation of its mandate to the Security Council through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4840th meeting.

Decisions

At its 4848th meeting, on 24 October 2003, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 4893rd meeting, on 15 January 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2003/1212)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lakhdar Brahimi, Special Representative of the Secretary-General for Afghanistan.

On 10 February 2004, the President of the Security Council addressed the following letter to the Secretary-General:[249]

> "I have the honour to inform you that your letter dated 6 February 2004 concerning your intention to appoint Mr. Jean Arnault, of France, as your Special Representative for

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[249] S/2004/105.

Afghanistan and Head of the United Nations Assistance Mission in Afghanistan[250] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4931st meeting, on 24 March 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2004/230)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At its 4937th meeting, on 26 March 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2004/230)".

Resolution 1536 (2004)
of 26 March 2004

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolution 1471 (2003) of 28 March 2003 extending the mandate of the United Nations Assistance Mission in Afghanistan through 27 March 2004,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Welcoming the Constitution adopted by the Loya Jirga on 4 January 2004 which reflects the determination of the Afghan people to ensure the transition of their country towards a stable and democratic State,

Recognizing that the United Nations must continue to play its central and impartial role in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country,

Reaffirming the Transitional Administration as the sole legitimate government of Afghanistan pending the democratic presidential and parliamentary elections envisioned in the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement)[244] and in the Afghan Constitution,

Reiterating its strong support for the full implementation of the Bonn Agreement, and supporting also the objectives of the international conference scheduled to take place in Berlin on 31 March and 1 April 2004 to allow the Afghan authorities and the international community to reaffirm their long-term commitment to take the transitional process in Afghanistan forward, including by demonstrating support for the Afghan political process and its national security, as well as by confirming and generating international financial and other donations,

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[250] S/2004/104.

Recalling the importance of the coming elections to establish democratic Afghan authorities as a further step towards implementation of the Bonn Agreement, and welcoming in that regard the creation of a Joint Electoral Management Body and the initial progress made in voter registration,

Recalling and emphasizing the importance of the Declaration on Good-neighbourly Relations, signed in Kabul on 22 December 2002[245] and encouraging all States concerned to continue to follow up on the Kabul Declaration and the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation signed in Dubai, United Arab Emirates, on 22 September 2003,

Stressing also the importance of extending central government authority to all parts of Afghanistan, of comprehensive nationwide disarmament, demobilization and reintegration of all armed factions, and of security sector reform, including reconstitution of the new Afghan National Army and Afghan National Police,

Welcoming the visit of the Security Council mission to Afghanistan from 31 October to 7 November 2003, and taking note of its report and recommendations,[251]

1. *Decides* to extend the mandate of the United Nations Assistance Mission in Afghanistan for an additional period of twelve months from the date of adoption of the present resolution;

2. *Welcomes* the report of the Secretary-General of 19 March 2004 and the recommendations contained therein;[252]

3. *Stresses* the importance of the provision of sufficient security and of significant donor support for the holding of credible national elections in accordance with the Afghan Constitution and the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement),[244] and to this end urges Member States and international organizations to coordinate closely with the Mission and the Transitional Administration;

4. *Encourages* Afghan authorities to enable an electoral process that provides for voter participation that is representative of the national demographics, including women and refugees, and calls upon all eligible Afghans to participate fully in the registration and electoral processes;

5. *Encourages* the Mission and the Afghan authorities, in this regard, to accelerate voter registration efforts in preparation for elections, and urges close coordination between Afghan and United Nations authorities;

6. *Welcomes* the progress made since the commencement of the disarmament, demobilization and reintegration process in October 2003 and the contribution of the International Observer Group in this regard; stresses that efforts on the part of the Afghan authorities and all Afghan parties, supported by the international community, to achieve further progress on the disarmament, demobilization and reintegration process are critical, particularly for the creation of an environment more conducive to the conduct of free and fair elections; and in this regard calls upon all Afghan parties to abide by commitments made in the Bonn Agreement, including in annex I thereto;

7. *Welcomes* the efforts to date of the Afghan authorities to implement their National Drug Control Strategy adopted on 22 May 2003, and urges the Afghan authorities to make further efforts in that regard and Member States to support its implementation with the necessary resources;

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[251] S/2003/1074.

[252] S/2004/230.

8. *Stresses* that tackling the drug trade cannot be separated from creating a strong economy and a secure environment in Afghanistan and cannot be achieved without increased cooperation among neighbouring States and countries along trafficking routes to strengthen anti-narcotic controls to curb the drug flow, and notes with concern in this regard the assessment made by the United Nations Office on Drugs and Crime in its last Afghan opium survey;

9. *Welcomes* the appointment of Mr. Jean Arnault as the new Special Representative of the Secretary-General for Afghanistan, reaffirms its continued strong support for the Special Representative and the concept of a fully integrated mission, and endorses his full authority, in accordance with all relevant resolutions, over all United Nations activities in Afghanistan;

10. *Requests* the Mission, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist the Afghan Independent Human Rights Commission in the full implementation of the human rights provisions of the new Afghan Constitution, in particular those regarding the full enjoyment by women of their human rights, and requests also that the Mission support the establishment of a fair and transparent judicial system and work towards the strengthening of the rule of law;

11. *Calls upon* all Afghan parties to cooperate with the Mission in the implementation of its mandate and to ensure the security and freedom of movement of its staff throughout the country;

12. *Welcomes* the progress made by the International Security Assistance Force in expanding its presence outside of Kabul and in implementing its mandate in accordance with resolutions 1444 (2002) of 27 November 2002 and 1510 (2003) of 13 October 2003, requests that the Force continue working in close consultation with the Secretary-General and his Special Representative, and calls upon troop contributors to provide the necessary resources to ensure the full implementation of the mandate of the Force;

13. *Welcomes also* the development of the new Afghan National Army and Afghan National Police as important steps towards the goal of Afghan security forces providing security and ensuring the rule of law throughout the country, and welcomes further the readiness of the Force to provide security assistance for the organization of the forthcoming elections in support of the Afghan authorities and the Mission, in accordance with resolution 1510 (2003);

14. *Requests* the Secretary-General to report to the Council in a timely manner on developments in Afghanistan, including, after elections, on the future role of the Mission;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4937th meeting.

Decisions

At its 4941st meeting, on 6 April 2004, the Security Council decided to invite the representatives of Afghanistan, India, Ireland and Japan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[253]

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[253] S/PRST/2004/9.

"The Security Council welcomes the results of the Berlin Conference on Afghanistan, held on 31 March and 1 April 2004, co-chaired by the United Nations, Afghanistan, Germany and Japan. The Council thanks Afghanistan and Germany for jointly hosting this event, an important milestone on the way to a secure, stable, free, prosperous and democratic Afghanistan.

"The Council expresses its full support for the commitment of Afghanistan and the international community to successfully complete the implementation of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement)[244] and to continue the transition process in Afghanistan through a lasting partnership, thus reflecting a model for a common endeavour of the international community in its fight against terrorism.

"The Council endorses the Berlin Declaration and stresses the relevance of the Work Plan of the Afghan Government, the Progress Report on the Implementation of the Bonn Agreement, and the Berlin Declaration on Counter-Narcotics, annexed to the Berlin Declaration, and welcomes the significant financial multiyear commitments made by the international donor community.

"The Council in particular expresses full support for the commitment by the Government of Afghanistan to pursue the necessary reform steps and actions as outlined in the Work Plan.

"The Council welcomes the announcement of President Karzai to hold direct presidential and parliamentary elections by September of this year. The Council stresses the importance of a secure environment for free, fair and credible democratic elections, and stresses that to this end further efforts of the Government of Afghanistan and of the international community are needed.

"The Council welcomes in this regard the decision taken by the President of Afghanistan to implement vigorously the disarmament, demobilization and reintegration programme, in particular to intensify it ahead of the 2004 elections, and to continue the formation of the Afghan National Army and the Afghan National Police.

"The Council also acknowledges the commitment by the North Atlantic Treaty Organization to expand the mission of the International Security Assistance Force by establishing five additional Provincial Reconstruction Teams by summer 2004 and further Provincial Reconstruction Teams thereafter, as well as the readiness of the Force and Operation Enduring Freedom to assist in securing the conduct of elections.

"The Council welcomes the commitments totalling US$ 8.2 billion for the fiscal years March 2004–March 2007 made by participants at the Berlin Conference for the reconstruction and development of Afghanistan and stresses the importance, with increasing absorption capacity, for a growing share of this assistance to be channelled through the Afghan budget as direct budget support or as contributions to the Afghanistan Reconstruction Trust Fund and to the Law and Order Trust Fund.

"The Council stresses that opium poppy cultivation, drug production and trafficking pose a serious threat to the rule of law and development in Afghanistan as well as to international security, and that therefore Afghanistan and the international community shall endeavour to reduce and eventually eliminate this threat, including through the development of economic alternatives. The Council reiterates the importance of increased cooperation among neighbouring States and countries along trafficking routes to strengthen anti-narcotic controls.

"The Council takes note of the appeal of President Karzai at the Berlin Conference for additional international support needed in countering narcotics. The Council refers in this context to the necessary implementation of the Afghan National Drug Control Strategy and the Counter-Narcotics Action Plans in the areas of law enforcement, judicial reform, alternative livelihoods, demand reduction and public awareness. The Council calls upon Member States to support the implementation of these Action Plans. Afghanistan needs both human and financial resources to tackle this problem.

“The Council welcomes, in particular, the Berlin Declaration on Counter-Narcotics within the framework of the Declaration on Good-neighbourly Relations, signed in Kabul on 22 December 2002[245] by Afghanistan and its neighbours, as well as the planned Conference on Regional Police Cooperation to be held in Doha on 18 and 19 May 2004.

“The Council invites the Secretary-General to include in his future reports to the Council and the General Assembly on the situation in Afghanistan, in addition to the information on implementation of the Bonn Agreement, chapters on progress achieved in the implementation of the Berlin Declaration, the Work Plan of the Afghan Government and in the promotion of regional and international cooperation with Afghanistan.

“The Council reaffirms its full support for the actions taken by the Special Representative of the Secretary-General and the United Nations Assistance Mission in Afghanistan and reiterates the central and impartial role of the United Nations in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country.

“The Council will remain seized of the matter.”

At its 4979th meeting, on 27 May 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled “The situation in Afghanistan”.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean Arnault, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At its 5004th meeting, on 15 July 2004, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled “The situation in Afghanistan”.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[254]

“The Security Council, taking note of the decision announced by the Joint Electoral Management Body established by the Afghan authorities, welcomes and supports the holding of the Presidential election in Afghanistan on 9 October 2004. This election is a key requirement under the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, signed in Bonn, Germany, on 5 December 2001 (the Bonn Agreement)[244] and represents a new milestone in the process of constructing a democratic, stable and prosperous Afghanistan.

“The Council further takes note of the decision of the Body to hold parliamentary elections in April 2005. The Council understands that technical and logistical reasons made it impossible, as reported by the Secretariat, to hold simultaneous presidential and parliamentary elections by September of this year. The Council stresses the importance of using the remaining months to ensure that the necessary preparations are completed and the conditions met for free and fair elections according to the timetables of the Body.

“The Council calls upon the Afghan Government and the international community to maintain and intensify, ahead of the presidential and parliamentary elections, their efforts to strengthen the national army and national police, to accelerate the disarmament, demobilization and reintegration process, and to support the Afghan Government in its strategy to eliminate opium production. The Council stresses the importance of accelerated progress on disarmament, demobilization and reintegration in order to create a safer environment for the election process, including security for electoral staff and Afghan voters, to help ensure a free and credible outcome to the electoral process, and otherwise to help create a secure environment in which the rule of law is respected. The Council reiterates its call upon all eligible Afghans to fully participate in the registration and electoral processes for the presidential and parliamentary elections.

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[254] S/PRST/2004/25.

"The Council encourages Afghan authorities to enable an electoral process to provide for voter participation that is representative of the national demographics including women and refugees, and in this regard calls for the determination of practical modalities for the registration and participation of the Afghan refugees in Iran and Pakistan in the ongoing Afghan electoral process.

"The Council acknowledges the commitment by the North Atlantic Treaty Organization, Operation Enduring Freedom and Member States to assist in establishing a secure environment for the conduct of elections, and calls upon the international community to further increase its security assistance to Afghanistan. The Council also acknowledges the intention of the European Union and bilateral donors to contribute to the conduct of free and fair elections and notes ongoing discussions within the Organization for Security and Cooperation in Europe on a possible contribution in that context.

"The Council stresses the importance of providing the necessary funding for the timely implementation of the timetables of the Joint Electoral Management Body. It acknowledges the contribution of the international donor community in support of the elections, calls upon donors to implement their pledges, and encourages the international community to consider further commitments to make the costs for elections as inclusive as possible.

"The Council reaffirms its full support for the Special Representative of the Secretary-General and the United Nations Assistance Mission in Afghanistan, and reiterates the central and impartial role of the United Nations in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country.

"The Council will remain seized of the matter."

ITEMS RELATING TO THE SUDAN

A. Letter dated 2 October 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Decisions

At its 4839th meeting, on 10 October 2003, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled "Letter dated 2 October 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council (S/2003/934)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[255]

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[255] S/PRST/2003/16.

"The Security Council welcomes the agreement on security arrangements reached in Naivasha, Kenya, on 25 September 2003, between the Government of the Sudan and the Sudan People's Liberation Movement/Army. The Council reiterates its welcome for the signing of the Machakos Protocol on 20 July 2002, which represents a viable basis for a resolution of the conflict in the Sudan. The Council looks forward to the successful conclusion of a comprehensive peace agreement, based on the Machakos Protocol. The Council further expresses its appreciation of the key role played by the Intergovernmental Authority on Development, under the leadership of the Kenyan President, the Kenyan Special Envoy, the envoys of the other Intergovernmental Authority member States and the International Observers in the Sudan peace talks.

"The Council also welcomes the continuation of the ceasefire and the establishment of the Verification and Monitoring Team, the Joint Military Commission and the Civilian Protection Monitoring Team and encourages Member States in a position to do so to contribute financial and logistical resources.

"The Council assures the parties of its readiness to support them in the implementation of the comprehensive peace agreement and requests the Secretary-General, in this connection, to initiate preparatory work, as soon as possible, in consultation with the parties, the Intergovernmental Authority facilitators and the International Observers, on how the United Nations could best fully support the implementation of a comprehensive peace agreement."

B. Letter dated 25 May 2004 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Decisions

At its 4978th meeting, on 25 May 2004, the Security Council considered the item entitled "Letter dated 25 May 2004 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council (S/2004/425)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[256]

"The Security Council expresses its grave concern over the deteriorating humanitarian and human rights situation in the Darfur region of the Sudan. Noting that thousands have been killed and that hundreds of thousands of people are at risk of dying in the coming months, the Council emphasizes the need for immediate humanitarian access to the vulnerable population.

"The Council also expresses its deep concern at the continuing reports of large-scale violations of human rights and of international humanitarian law in Darfur, including indiscriminate attacks on civilians, sexual violence, forced displacement and acts of violence, especially those with an ethnic dimension, and demands that those responsible be held accountable. The Council strongly condemns these acts which jeopardize a peaceful solution of the crisis, stresses that all parties to the N'Djamena humanitarian ceasefire agreement have committed themselves to refraining from any act of violence or any other abuse against civilian populations, in particular women and children, and that the Government of the Sudan has also committed itself to neutralizing the armed Janjaweed militias, and urges all parties to take the necessary steps to put an end to violations of human rights and international humanitarian law. In this regard, the Council takes note of the recommendations of the United Nations High Commissioner for Human Rights in his report of 7 May 2004.[257]

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[256] S/PRST/2004/18.

"The Council reiterates its call upon the parties to ensure the protection of civilians and to facilitate humanitarian access to the affected population. In that regard, the Council emphasizes the need for the Government of the Sudan to facilitate the voluntary and safe return of refugees and displaced persons to their homes, and to provide protection for them, and also calls upon all parties, including opposition groups, to support these objectives. The Council calls upon all parties, in accordance with the provisions of its resolution 1502 (2003) of 26 August 2003, to allow full unimpeded access by humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and their assets.

"The Council, while welcoming the ceasefire agreement signed on 8 April 2004 in N'Djamena emphasizes the urgent need for all parties to observe the ceasefire and to take immediate measures to end the violence, and calls upon the Government of the Sudan to respect its commitments to ensure that the Janjaweed militias are neutralized and disarmed. Stressing that a ceasefire commission with international representation is a central component of the 8 April agreement, the Council expresses its full and active support for the efforts of the African Union to establish the ceasefire commission and protection units, and calls upon the opposition groups and the Government of the Sudan to facilitate the immediate deployment of monitors in Darfur and to ensure their free movement throughout Darfur. The Council also calls upon Member States to provide generous support for the efforts of the African Union.

"The Council welcomes the announcement by the Government of the Sudan that it will issue visas to all humanitarian workers within 48 hours of application, eliminate the need for travel permits, and facilitate the entrance and clearance of equipment imported for humanitarian purposes. The Council acknowledges the appointment of a fact-finding commission by presidential decree. The Council, however, is seriously concerned about continued logistical impediments prohibiting a rapid response in the face of a stark and mounting crisis and calls upon the Government to fulfil its announced commitment to cooperate fully and expeditiously with humanitarian efforts to provide assistance to the imperiled populations of Darfur, noting with particular concern that the humanitarian challenge will be aggravated by the imminent onset of the rainy season.

"The Council calls upon the international community to respond rapidly and effectively to the consolidated appeal for Darfur.

"The Council observes with distress the prolonged absence of an accredited Resident Coordinator/Humanitarian Coordinator and affirms the need for the immediate appointment and appropriate accreditation of a permanent Resident Coordinator/Humanitarian Coordinator to ensure daily coordination in order to address impediments to humanitarian access brought to the attention of the United Nations by the international aid community.

"The Council encourages the parties to step up their efforts to reach a political settlement to their dispute in the interest of the unity and sovereignty of the Sudan.

"The Council requests that the Secretary-General keep it informed of the humanitarian and human rights crisis as it unfolds, and, as necessary, to make recommendations."

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[257] E/CN.4/2005/3.

C. Report of the Secretary-General on the Sudan

Decision

At its 4988th meeting, on 11 June 2004, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled "Report of the Secretary-General on the Sudan (S/2004/453)".

Resolution 1547 (2004)
of 11 June 2004

The Security Council,

Welcoming the signing of the declaration on 5 June 2004 in Nairobi, in which the parties confirmed their agreement to the six protocols signed between the Government of the Sudan and the Sudan People's Liberation Movement/Army and reconfirmed their commitment to completing the remaining stages of negotiations,

Commending the work and continued support of the Intergovernmental Authority on Development, in particular, the Government of Kenya as Chair of the Subcommittee on the Sudan, in facilitating the peace talks, and recognizing the efforts of the Civilian Protection Monitoring Team, the Joint Military Commission in the Nuba Mountains and the Verification and Monitoring Team in support of the peace process, and expressing the hope that the Intergovernmental Authority will continue to play a vital role during the transitional period,

Reaffirming its support for the Machakos Protocol of 20 July 2002 and subsequent agreements based on that Protocol,

Reaffirming its commitment to the sovereignty, independence and unity of the Sudan,

Recalling the statements by its President of 10 October 2003[255] and 25 May 2004,[256]

Condemning all acts of violence and violations of human rights and international humanitarian law by all parties, and expressing its utmost concern at the consequences of the prolonged conflict for the civilian population of the Sudan, including women, children, refugees and internally displaced persons,

Urging the two parties involved to conclude speedily a comprehensive peace agreement, and believing that the progress now being made in the Naivasha negotiation process will contribute to improved stability and peace in the Sudan,

Welcoming the report of the Secretary-General of 3 June 2004,[258]

1. *Welcomes* the proposal of the Secretary-General to establish, for an initial period of three months and under the authority of a special representative of the Secretary-General, a United Nations advance team in the Sudan as a special political mission dedicated to preparation for the international monitoring foreseen in the Framework Agreement on Security Arrangements during the Interim Period, signed in Naivasha, Kenya, on 25 September 2003,[259] to facilitate contacts with the parties concerned and to prepare for the introduction of a peace support operation following the signing of a comprehensive peace agreement;

2. *Endorses* the proposals of the Secretary-General for the staffing of the advance team, and in this regard requests the Secretary-General to conclude all necessary agreements with the Government of the Sudan as expeditiously as possible;

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[258] S/2004/453.

[259] S/2003/934, annex.

3. *Declares its readiness* to consider establishing a United Nations peace support operation to support the implementation of a comprehensive peace agreement, and requests the Secretary-General to submit to the Council his recommendations for the size, structure and mandate of this operation as soon as possible after the signing of a comprehensive peace agreement;

4. *Requests* the Secretary-General, pending the signing of a comprehensive peace agreement, to take the necessary preparatory steps, including, in particular, pre-positioning the most critical logistical and personnel requirements to facilitate the rapid deployment of the above-mentioned possible operation, principally to assist the parties in monitoring and verifying compliance with the terms of a comprehensive peace agreement as well as to prepare for the role of the Organization during the transitional period in the Sudan;

5. *Underlines* the need for an effective public information capacity, including through local and national radio, television and newspaper channels, in order to promote an understanding of the peace process and the role a United Nations peace support operation will play among local communities and the parties;

6. *Endorses* the conclusions of the Secretary-General with regard to the situation in the Sudan, in particular in Darfur and the Upper Nile, as set out in paragraph 22 of his report,[258] calls upon the parties to use their influence to bring an immediate halt to the fighting in the Darfur region, in the Upper Nile and elsewhere, urges the parties to the ceasefire agreement signed in N'Djamena on 8 April 2004 to conclude a political agreement without delay, welcomes the efforts of the African Union to that end, and calls upon the international community to be prepared for constant engagement, including extensive funding in support of peace in the Sudan;

7. *Requests* the Secretary-General to keep it informed of developments in the Sudan, particularly on the Naivasha negotiation process, the implementation of the peace process and the execution by the advance team of its mandate, and to submit a report to the Council no later than three months after the adoption of the present resolution;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 4988th meeting.

Decisions

On 18 June 2004, the President of the Security Council addressed the following letter to the Secretary-General:[260]

> "I have the honour to inform you that your letter dated 17 June 2004 concerning your intention to appoint Mr. Jan Pronk, of the Netherlands, as your Special Representative for the Sudan and head of the peace support operation[261] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5015th meeting, on 30 July 2004, the Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled "Report of the Secretary-General on the Sudan (S/2004/453)".

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[260] S/2004/504.

[261] S/2004/503.

Resolution 1556 (2004)
of 30 July 2004

The Security Council,

Recalling the statement by its President of 25 May 2004,[256] its resolution 1547 (2004) of 11 June 2004 and its resolution 1502 (2003) of 26 August 2003 on the access of humanitarian workers to populations in need,

Welcoming the leadership role and the engagement of the African Union regarding the situation in Darfur, and expressing its readiness to support fully those efforts,

Welcoming also the communiqué dated 27 July 2004, issued by the Peace and Security Council of the African Union,[262]

Reaffirming its commitment to the sovereignty, unity, territorial integrity and independence of the Sudan as consistent with the Machakos Protocol of 20 July 2002 and subsequent agreements based thereon, as agreed to by the Government of the Sudan,

Welcoming the joint communiqué dated 3 July 2004, issued by the Government of the Sudan and the Secretary-General, including the creation of the Joint Implementation Mechanism, and acknowledging steps taken towards improved humanitarian access,

Taking note of the report of the Secretary-General of 3 June 2004 on the Sudan,[258] and welcoming the appointment by the Secretary-General of a Special Representative for the Sudan and his efforts to date,

Reiterating its grave concern at the ongoing humanitarian crisis and widespread human rights violations, including continued attacks on civilians, that are placing the lives of hundreds of thousands at risk,

Condemning all acts of violence and violations of human rights and international humanitarian law by all parties to the crisis, in particular by the Janjaweed militias, including indiscriminate attacks on civilians, rapes, forced displacements and acts of violence, especially those with an ethnic dimension, and expressing its utmost concern at the consequences of the conflict in Darfur on the civilian population, including women, children, internally displaced persons, and refugees,

Recalling, in this regard, that the Government of the Sudan bears the primary responsibility to respect human rights while maintaining law and order and protecting its population within its territory and that all parties are obliged to respect international humanitarian law,

Urging all parties to take the necessary steps to prevent and to put an end to violations of human rights and international humanitarian law, and underlining the fact that there will be no impunity for violators,

Welcoming the commitment of the Government of the Sudan to investigate the atrocities and prosecute those responsible,

Emphasizing the commitment of the Government of the Sudan to mobilize the armed forces of the Sudan immediately to disarm the Janjaweed militias,

Recalling in this regard its resolutions 1325 (2000) of 31 October 2000 on women and peace and security, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004 on children and armed conflict, and 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

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[262] S/2004/603, annex.

Expressing concern at reports of violations of the ceasefire agreement signed in N'Djamena on 8 April 2004, and reiterating that all parties to the ceasefire must comply with all of the terms contained therein,

Welcoming the donor consultation held in Geneva in June 2004 as well as subsequent briefings highlighting urgent humanitarian needs in the Sudan and Chad, and reminding donors of the need to fulfil commitments that have been made,

Recalling that over one million people are in need of urgent humanitarian assistance, that with the onset of the rainy season the provision of assistance has become increasingly difficult, and that without urgent action to address the security, access, logistics, capacity and funding requirements the lives of hundreds of thousands of people will be at risk,

Expressing its determination to do everything possible to halt a humanitarian catastrophe, including by taking further action if required,

Welcoming the ongoing international diplomatic efforts to address the situation in Darfur,

Stressing that any return of refugees and displaced persons to their homes must take place voluntarily, with adequate assistance and with sufficient security,

Noting with grave concern that up to 200,000 refugees have fled to the neighbouring State of Chad, which constitutes a serious burden upon that country, expressing grave concern at reported cross-border incursions by Janjaweed militias of the Darfur region of the Sudan into Chad, and also taking note of the agreement between the Governments of the Sudan and Chad to establish a joint mechanism to secure the borders,

Determining that the situation in the Sudan constitutes a threat to international peace and security and to stability in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Calls upon* the Government of the Sudan to fulfil immediately all of the commitments it made in the joint communiqué of 3 July 2004, including particularly by facilitating international relief for the humanitarian disaster by means of a moratorium on all restrictions that might hinder the provision of humanitarian assistance and access to the affected populations, by advancing independent investigation in cooperation with the United Nations of violations of human rights and international humanitarian law, by the establishment of credible security conditions for the protection of the civilian population and humanitarian actors, and by the resumption of political talks with dissident groups from the Darfur region, specifically the Justice and Equality Movement and the Sudan Liberation Movement and Sudan Liberation Army on Darfur;

2. *Endorses* the deployment of international monitors, including the protection force envisioned by the African Union, to the Darfur region of the Sudan, under the leadership of the African Union, urges the international community to continue to support those efforts, welcomes the progress made in deploying monitors, including the offers to provide forces by members of the African Union, and stresses the need for the Government of the Sudan and all involved parties to facilitate the work of the monitors in accordance with the N'Djamena ceasefire agreement of 8 April 2004 and with the Addis Ababa agreement of 28 May 2004 on the modalities of establishing an observer mission to monitor the ceasefire;

3. *Urges* Member States to reinforce the international monitoring team, led by the African Union, including the protection force, by providing personnel and other assistance including financing, supplies, transport, vehicles, command support, communications and headquarters support as needed for the monitoring operation, and welcomes the contributions already made by the European Union and the United States to support the African Union-led operation;

4. *Welcomes* the work done by the United Nations High Commissioner for Human Rights to send human rights observers to the Sudan, and calls upon the Government of the Sudan to cooperate with the High Commissioner in the deployment of those observers;

5. *Urges* the parties to the N'Djamena ceasefire agreement to conclude a political agreement without delay, notes with regret that the failure of senior rebel leaders to participate in the talks held on 15 July 2004 in Addis Ababa, was unhelpful to the process, and calls for renewed talks under the sponsorship of the African Union, and its chief mediator, Mr. Hamid Algabid, to reach a political solution to the tensions in Darfur, and strongly urges rebel groups to respect the ceasefire, end the violence immediately, engage in peace talks without preconditions, and act in a positive and constructive manner to resolve the conflict;

6. *Demands* that the Government of the Sudan fulfil its commitments to disarm the Janjaweed militias and apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out human rights and international humanitarian law violations and other atrocities, requests the Secretary-General to report in thirty days, and monthly thereafter, to the Council on the progress, or lack thereof, by the Government of the Sudan on this matter, and expresses its intention to consider further actions, including measures as provided for in Article 41 of the Charter of the United Nations, on the Government of the Sudan, in the event of non-compliance;

7. *Decides* that all States shall take the necessary measures to prevent the sale or supply to all non-governmental entities and individuals, including the Janjaweed militias, operating in the states of North Darfur, South Darfur and West Darfur, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not originating in their territories;

8. *Decides also* that all States shall take the necessary measures to prevent any provision to the non-governmental entities and individuals identified in paragraph 7 above operating in the states of North Darfur, South Darfur and West Darfur, by their nationals or from their territories, of technical training or assistance related to the provision, manufacture, maintenance or use of the items listed in paragraph 7 above;

9. *Decides further* that the measures imposed by paragraphs 7 and 8 above shall not apply to:

(*a*) Supplies and related technical training and assistance to monitoring, verification or peace support operations, including such operations led by regional organizations, that are authorized by the United Nations or are operating with the consent of the relevant parties;

(*b*) Supplies of non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, and related technical training and assistance;

(*c*) Supplies of protective clothing, including flak jackets and military helmets, for the personal use of United Nations personnel, human rights monitors, representatives of the media and humanitarian and development workers and associated personnel;

10. *Expresses its intention* to consider the modification or termination of the measures imposed under paragraphs 7 and 8 above when it determines that the Government of the Sudan has fulfilled its commitments described in paragraph 6 above;

11. *Reiterates its support* for the Framework Agreement on Security Arrangements during the Interim Period, signed in Naivasha, Kenya on 25 September 2003 by the Government of the Sudan and the Sudan People's Liberation Movement/Army,[259] and looks forward to effective implementation of the Agreement and a peaceful, unified Sudan working in harmony with all other States for the development of the Sudan, and calls upon the international community to be prepared for constant engagement, including necessary funding, in support of peace and economic development in the Sudan;

12. *Urges* the international community to make available much needed assistance to mitigate the humanitarian catastrophe now unfolding in the Darfur region, calls upon Member States to honour pledges that have been made against needs in Darfur and Chad, and underscores

the need to contribute generously towards fulfilling the unmet portion of the United Nations consolidated appeals;

13. *Requests* the Secretary-General to activate inter-agency humanitarian mechanisms to consider what additional measures may be needed to avoid a humanitarian catastrophe and to report regularly to the Council on progress made;

14. *Encourages* the Special Representative of the Secretary-General for the Sudan and the independent expert of the Commission on Human Rights to work closely with the Government of the Sudan in supporting independent investigations of violations of human rights and international humanitarian law in the Darfur region;

15. *Extends* the special political mission set out in resolution 1547 (2004) for an additional ninety days, to 10 December 2004, and requests the Secretary-General to incorporate into the mission contingency planning for the Darfur region;

16. *Expresses its full support* for the African Union-led ceasefire commission and monitoring mission in Darfur, requests the Secretary-General to assist the African Union with planning and assessments for its mission in Darfur and, in accordance with the joint communiqué, to prepare to support the implementation of a future agreement in Darfur in close cooperation with the African Union, and also requests the Secretary-General to report to the Security Council on the progress made;

17. *Decides* to remain seized of the matter.

Adopted at the 5015th meeting
by 13 votes to none, with 2 abstentions
(China and Pakistan).

THE SITUATION IN TIMOR-LESTE[263]

Decisions

At its 4843rd meeting, on 15 October 2003, the Security Council decided to invite the representatives of Australia, India, Italy, Japan, Malaysia, New Zealand, the Philippines, Portugal, Singapore and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/944)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kamalesh Sharma, Special Representative of the Secretary-General for Timor-Leste and Head of Mission.

At its 4913th meeting, on 20 February 2004, the Council decided to invite the representatives of Australia, Fiji, Indonesia, Ireland, Japan, Malaysia, New Zealand, Portugal, the Republic of Korea, Singapore, the Syrian Arab Republic, Thailand and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

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[263] Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1976, from 1999 to 2002 and during the period from 1 January to 31 July 2003.

"Special report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/117)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, in response to the request dated 18 February 2004 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council,[264] the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. João Augusto de Médicis, Executive Secretary of the Community of Portuguese-speaking Countries.

At its 4965th meeting, on 10 May 2004, the Council decided to invite the representatives of Australia, India, Indonesia, Ireland, Japan, New Zealand, Norway, Portugal, Singapore and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/333)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kamalesh Sharma, Special Representative of the Secretary-General for Timor-Leste and Head of Mission.

At its 4968th meeting, on 14 May 2004, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2004/333)".

Resolution 1543 (2004)
of 14 May 2004

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolutions 1410 (2002) of 17 May 2002, 1473 (2003) of 4 April 2003 and 1480 (2003) of 19 May 2003,

Commending the progress achieved by the people and Government of Timor-Leste, with the assistance of the international community, towards developing, in so short a time, the nation's infrastructure, public administration, law enforcement and defence capacities,

Commending also the work of the United Nations Mission of Support in East Timor, under the leadership of the Special Representative of the Secretary-General, and welcoming the progress made towards the accomplishment of key tasks inscribed in its mandate, in accordance with resolutions 1410 (2002), 1473 (2003) and 1480 (2003),

Expressing its appreciation to those Member States providing troops, civilian police personnel and support elements to the Mission,

Having considered the statement of 20 February 2004 by the Minister for Foreign Affairs of Timor-Leste to the Security Council, requesting a one-year extension of the Mission,

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[264] Document S/2004/120, incorporated in the record of the 4913th meeting.

Taking note of the special report of the Secretary-General of 13 February 2004 on the United Nations Mission of Support in East Timor[265] as well as his report of 29 April 2004,[266]

Welcoming the recommendation of the Secretary-General to extend the Mission for a further one-year consolidation phase, in order to allow key tasks to be performed and to sustain, strengthen and build upon the gains made to date, thereby permitting Timor-Leste to attain self-sufficiency,

Noting that the emerging institutions in Timor-Leste are still in the process of consolidation and that further assistance is required to ensure the sustained development and strengthening of key sectors, mainly justice, public administration, including the National Police, and the maintenance of security and stability in Timor-Leste,

Encouraging the Government of Timor-Leste to adopt, as soon as possible, legislation and other appropriate measures referred to in paragraph 69 of the report of the Secretary-General of 29 April 2004, and further outlined as Timor-Leste action required in annexes I to III of the same report,

Welcoming the excellent communication and goodwill that have characterized relations between Timor-Leste and Indonesia, and encouraging continued cooperation between the two Governments and cooperation with the Mission towards further progress in resolving pending bilateral issues, including those relating to the demarcation and management of the border and to the provision of justice for those responsible for serious crimes committed in 1999,

Remaining fully committed to the promotion of security and long-lasting stability in Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Mission of Support in East Timor for a period of six months, with a view to subsequently extending the mandate for a further and final period of six months, until 20 May 2005;

2. *Decides also* to reduce the size of the Mission and to revise its tasks, in accordance with the recommendations of the Secretary-General in section III of his report of 29 April 2004;[266]

3. *Decides*, accordingly, that the mandate of the Mission shall consist of the following elements, as outlined in the report of the Secretary-General of 29 April 2004:

(*a*) Support for the public administration and justice system of Timor-Leste and for justice in the area of serious crimes;

(*b*) Support to the development of law enforcement in Timor-Leste;

(*c*) Support for the security and stability of Timor-Leste;

4. *Decides* that the Mission shall include up to 58 civilian advisers, 157 civilian police advisers, 42 military liaison officers, 310 formed troops and a 125-person International Response Unit;

5. *Decides also* that internationally accepted human rights principles shall continue to form an integral part of training and capacity-building carried out by the Mission under paragraph 3 above;

6. *Requests* the Secretary-General to keep the Security Council closely and regularly informed of developments on the ground and of the implementation of the present resolution, in particular with regard to progress towards the achievement of key tasks in the mandate of the Mission, and in that regard requests the Secretary-General to submit a report within three months of the date of adoption of the present resolution and every three months thereafter, with

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[265] S/2004/117.

[266] S/2004/333.

recommendations for any modifications such progress might allow to the size, composition and tasks of the Mission, with a view to completing its mandate by 20 May 2005;

7. *Also requests* the Secretary-General to include in the reports requested under paragraph 6 above recommendations on tasks and configuration of police and military components for Security Council review in November 2004;

8. *Reaffirms* the need to fight against impunity and the importance for the international community to lend its support in this regard, and emphasizes that the Serious Crime Unit should complete all investigations by November 2004 and should conclude trials and other activities as soon as possible and no later than 20 May 2005;

9. *Underlines* the fact that further United Nations assistance to Timor-Leste should be coordinated with the efforts of bilateral and multilateral donors, regional mechanisms, non-governmental organizations, private sector entities and other actors from within the international community;

10. *Urges* the donor community as well as United Nations agencies, funds and programmes and multilateral financial institutions to continue providing essential resources and assistance for the implementation of projects towards sustainable and long-term development in Timor-Leste;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4968th meeting.

Decision

On 21 May 2004, the President of the Security Council addressed the following letter to the Secretary-General:[267]

> "I have the honour to inform you that your letter dated 19 May 2004 concerning your intention to appoint Mr. Sukehiro Hasegawa, of Japan, as your Special Representative for Timor-Leste and Head of the United Nations Mission of Support in East Timor[268] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN SOMALIA[269]

Decisions

On 28 October 2003, the President of the Security Council addressed the following letter to the Secretary-General:[270]

> "I have the honour to inform you that your letter dated 22 October 2003 concerning your intention to extend the mandate of your Representative for Somalia, Mr. Winston A. Tubman, until 31 December 2004,[271] has been brought to the attention of the members of

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[267] S/2004/419.

[268] S/2004/418.

[269] Resolutions or decisions on this question were also adopted by the Security Council from 1992 to 1997, from 1999 to 2002 and during the period from 1 January to 31 July 2003.

[270] S/2003/1052.

[271] S/2003/1051.

the Security Council. They take note of the information and intention expressed in your letter."

At its 4856th meeting, on 11 November 2003, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2003/987)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[272]

"The Security Council, recalling its previous decisions concerning the situation in Somalia, in particular the statement by its President of 12 March 2003,[273] and welcoming the report of the Secretary-General of 13 October 2003,[274] reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of the country, consistent with the purposes and principles of the Charter of the United Nations.

"The Council reiterates its firm support for the Somali National Reconciliation Process launched under the auspices of the Intergovernmental Authority on Development and led by Kenya. The Council commends the progress made and acknowledges the challenges ahead.

"The Council welcomes the relevant decisions made by the tenth Summit of the Intergovernmental Authority on Development and the first Intergovernmental Authority on Development Ministerial Facilitation Committee meeting on the Somali peace process in October 2003.

"The Council urges all Somali leaders to participate constructively in the meeting of leaders planned by the Facilitation Committee in Kenya in November 2003 to bridge their differences and to reach agreements on a viable government and a durable and inclusive solution to the conflict in Somalia.

"The Council commends the Government of Kenya for its crucial role in facilitating the Somali National Reconciliation Process, and President Yoweri Museveni of Uganda for joining in the facilitation work, and encourages the Facilitation Committee to work concertedly towards a successful conclusion of the Process.

"The Council also commends the support given by the African Union to the Somali National Reconciliation Process, including its participation in the Process and its commitment to deploy a military observer mission to Somalia once a comprehensive agreement is reached.

"The Council calls upon the international community to continue its efforts to support the Intergovernmental Authority in its facilitation of the Somali National Reconciliation Process, and calls upon the donor countries to contribute to the Process, the Trust Fund for Peace-building in Somalia and the United Nations Consolidated Inter-Agency Appeal for Somalia.

"The Council expresses serious concern regarding the humanitarian situation in Somalia, and calls upon the Somali leaders to facilitate the delivery of much-needed humanitarian assistance and to assure the safety of all international and national aid workers.

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[272] S/PRST/2003/19.

[273] S/PRST/2003/2.

[274] S/2003/987.

"The Council welcomes the forthcoming mission of the Security Council Committee established pursuant to resolution 751 (1992) to Somalia and States in the region, from 11 to 21 November 2003, as a step towards giving full effect to the arms embargo. The Council calls upon relevant States and organizations to cooperate with the above-mentioned mission.

"The Council reiterates that a comprehensive peace-building programme with special emphasis on disarmament, demobilization, rehabilitation and reintegration will be important to post-conflict Somali.

"The Council expresses its readiness to assist the Somali parties and support the Intergovernmental Authority in implementation of the agreements reached in the Somali National Reconciliation Process."

On 13 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[275]

"I have the honour to inform you that your letter dated 10 November 2003 concerning your intention to continue the activities of the United Nations Political Office for Somalia at the current resource level for the biennium 2004–2005[276] has been brought to the attention of the members of the Security Council. They take note of the information and intention expressed in your letter."

At its 4885th meeting, on 16 December 2003, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Letter dated 4 November 2003 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2003/1035)".

Resolution 1519 (2003)
of 16 December 2003

The Security Council,

Reaffirming its previous resolutions concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, by which it established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the arms embargo"), resolution 1356 (2001) of 19 June 2001, resolution 1407 (2002) of 3 May 2002, resolution 1425 (2002) of 22 July 2002, resolution 1474 (2003) of 8 April 2003, and the statements by its President of 12 March[273] and 11 November 2003,[272]

Reiterating its firm support for the Somali National Reconciliation Process and the ongoing Somali National Reconciliation Conference, commending the efforts of Kenya as the host of the Conference sponsored by the Intergovernmental Authority on Development, and reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia, consistent with the purposes and principles of the Charter of the United Nations,

Reiterating its insistence that States, in particular those of the region, should not interfere in the internal affairs of Somalia – such interference only further destabilizes Somalia, contributes to a climate of fear and impacts adversely on human rights, and could jeopardize the sovereignty, territorial integrity, political independence and unity of Somalia – and stressing that the territory of Somalia should not be used to undermine stability in the subregion,

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[275] S/2003/1093.

[276] S/2003/1092.

Reiterating its serious concern over the continued flow of weapons and ammunition supplies to and through Somalia from sources outside the country, in contravention of the arms embargo, bearing in mind that the Somali National Reconciliation Process and the implementation of the arms embargo serve as mutually reinforcing processes,

Having considered the report of the Panel of Experts of 4 November 2003, submitted pursuant to paragraph 7 of resolution 1474 (2003),[277]

Welcoming the mission of the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992 (hereinafter referred to as "the Committee"), led by the Chairman of the Committee, to the States in the region, from 11 to 21 November 2003, as a step towards giving full effect to the arms embargo,

Reiterating the importance of improving the implementation and enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into violations of the arms embargo, and expressing its determination to hold those violators accountable,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Stresses* the obligation of all States and other actors to comply fully with resolution 733 (1992) and resolution 1356 (2001), and reaffirms that non-compliance constitutes a violation of the provisions of the Charter of the United Nations;

2. *Requests* the Secretary-General to establish a monitoring group (hereinafter referred to as the "Monitoring Group") composed of up to four experts, for a period of six months commencing as soon as possible from the date of adoption of the present resolution, to be based in Nairobi, with the following mandate, which should focus on the ongoing arms embargo violations, including transfers of ammunition, single-use weapons, and small arms:

(*a*) To investigate the violations of the arms embargo covering access to Somalia by land, air and sea;

(*b*) To detail information and make specific recommendations in relevant areas of expertise related to violations and measures to give effect to and strengthen the implementation of the arms embargo in its various aspects;

(*c*) To carry out field-based investigations in Somalia, where possible, and in States neighbouring Somalia and other States, as appropriate;

(*d*) To assess the progress made by the States in the region to implement fully the arms embargo, including through a review of national customs and border control regimes;

(*e*) To provide the Committee in its final report with a draft list of those who continue to violate the arms embargo inside and outside Somalia, and their active supporters, with a view to possible future measures by the Council;

(*f*) To make recommendations based on its investigations and the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) and 1474 (2003);[278]

3. *Also requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

4. *Requests* all Somali and regional parties as well as Government officials and other actors contacted outside the region to cooperate fully with the Monitoring Group in the discharge

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[277] S/2003/1035.

[278] S/2003/223 and S/2003/1035.

of its mandate, and requests the Monitoring Group to notify the Security Council immediately, through the Committee, of any lack of cooperation;

5. *Calls upon* all States in the region and regional organizations, in particular the Intergovernmental Authority on Development, the African Union and the League of Arab States, to establish focal points to enhance cooperation with the Monitoring Group and to facilitate information exchange;

6. *Requests* the Monitoring Group to provide a mid-term briefing to the Council, through the Committee, and to submit a final report at the end of its mandated period to the Security Council, through the Committee, for its consideration;

7. *Encourages* all States signatories to the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa[279] to implement quickly the measures required by the Coordinated Agenda for Action as an important means in support of the arms embargo on Somalia;

8. *Calls upon* the neighbouring States to report to the Committee quarterly on their efforts to implement the arms embargo, bearing in mind their crucial role in the implementation of the arms embargo;

9. *Encourages* the donor community, including the Partner Forum Group of the Intergovernmental Authority on Development to provide technical and material assistance to States in the region, , as well as to the regional organizations, in particular the Intergovernmental Authority on Development, the African Union and the League of Arab States, in support of their national and regional capacity for monitoring and implementing the arms embargo, including for monitoring the coastline, land and air boundaries with Somalia;

10. *Encourages* Member States from the region to continue their efforts in enacting legislation or regulations necessary to ensure the effective implementation of the arms embargo;

11. *Expresses its determination* to review the situation regarding the implementation of the arms embargo in Somalia on the basis of information provided by the Monitoring Group in its reports;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4885th meeting.

Decisions

At its 4915th meeting, on 25 February 2004, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2004/115 and Corr.1)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[280]

> "The Security Council, recalling its previous decisions concerning the situation in Somalia, in particular the statement by its President of 11 November 2003[272] and welcoming the report of the Secretary-General of 12 February 2004,[281] reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the

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[279] S/2000/385, annex.

[280] S/PRST/2004/3.

[281] S/2004/115 and Corr.1.

sovereignty, territorial integrity, political independence and unity of the country, consistent with the purposes and principles of the Charter of the United Nations.

"The Council reiterates its firm support for the Somali National Reconciliation Process and the ongoing Somali National Reconciliation Conference in Kenya, launched under the auspices of the Intergovernmental Authority on Development.

"The Council commends President Mwai Kibaki of Kenya, President Yoweri Museveni of Uganda, other leaders of the Intergovernmental Authority, and international supporters of the Somali National Reconciliation Conference for their perseverance to help Somalis achieve national reconciliation.

"The Council welcomes the signing in Nairobi, on 29 January 2004, of the Declaration on the Harmonization of Various Issues Proposed by the Somali Delegates at the Somali Consultative Meetings, held from 9 to 29 January 2004, as an important step towards lasting peace and reconciliation in Somalia, and urges all signatories to the agreement to fully abide by their commitment to move the peace process forward.

"The Council calls upon the Somali parties to build on the progress achieved and swiftly conclude the Somali National Reconciliation Conference with a durable and inclusive solution to the conflict in Somalia by establishing a viable transitional government.

"The Council reiterates that the Somali parties should abide by and implement expeditiously the Eldoret Declaration of 27 October 2002 on the cessation of hostilities,[282] and calls upon the Somali parties to continue working towards a comprehensive security arrangement for Somalia.

"The Council stresses the urgent need for a comprehensive ceasefire throughout Somalia, and stresses also that the Somali parties themselves bear the responsibility for achieving it. The Council calls upon the Somali parties to implement the ceasefire fully, to ensure security, and to resolve their differences by peaceful means.

"The Council condemns those who obstruct the peace process, and stresses that those who persist on the path of confrontation and conflict will be held accountable. The Council will continue to monitor the situation closely.

"The Council calls upon all neighbouring States to continue their endeavour to participate fully and constructively for the success of the Somali National Reconciliation Process and the attainment of peace in the region.

"The Council welcomes the commitment and preparation by the African Union to deploy a military observer mission to Somalia and calls upon the international community to support the African Union's efforts to improve the security situation in Somalia.

"The Council calls upon the international community to continue its efforts to support the Intergovernmental Authority in its facilitation of the Somali National Reconciliation Conference, and calls upon the donor countries to contribute to the Conference, the Trust Fund for Peace-building in Somalia and the United Nations Consolidated Inter-Agency Appeal for Somalia.

"The Council expresses serious concern regarding the humanitarian situation in Somalia, and calls upon the leaders of Somalia to facilitate the delivery of much-needed humanitarian assistance and to assure the safety of all international and national aid workers.

"The Council reiterates its concern over the continued flow of weapons and ammunition supplies to Somalia, welcomes the establishment of the Monitoring Group pursuant to resolution 1519 (2003) of 16 December 2003, and calls upon relevant States and entities to comply scrupulously with the arms embargo and to cooperate with the Monitoring Group.

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[282] S/2002/1359, annex.

"The Council welcomes the readiness of the Secretary-General to enhance the attention of the United Nations to developments in Somalia within existing resources. The Council reiterates that a comprehensive peace-building programme with special emphasis on disarmament, demobilization, rehabilitation and reintegration will be important to post-conflict Somalia as stipulated in the statement by its President of 28 March 2002.[283]

"The Council requests the Secretary-General to consider and to suggest in his next report ways to develop the role of the United Nations in support of the Intergovernmental Authority-facilitated Somali reconciliation process.

"The Council reiterates its readiness to assist the Somali parties and support the Intergovernmental Authority in the implementation of the agreements reached in the Somali National Reconciliation Conference."

At its 5003rd meeting, on 14 July 2004, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2004/469)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[284]

"The Security Council, recalling its previous decisions concerning the situation in Somalia, in particular the statement by its President of 25 February 2004,[280] and welcoming the report of the Secretary-General of 9 June 2004,[285] reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia and its respect for the sovereignty, territorial integrity, political independence and unity of the country, consistent with the purposes and principles of the Charter of the United Nations.

"The Council reiterates its firm support for the Somali National Reconciliation Process and the ongoing Somali National Reconciliation Conference in Kenya, launched under the auspices of the Intergovernmental Authority on Development, and commends the Intergovernmental Authority leaders, in particular the Government of Kenya, for their efforts in the search for peace in Somalia. The Council also commends the international observers for their active engagement in the process.

"The Council welcomes the outcome of the fifth, sixth, and seventh Intergovernmental Authority on Development Ministerial Facilitation Committee meetings on the Somali National Reconciliation Conference, which demonstrated the coherent regional approach and commitment of States members of the Intergovernmental Authority to national reconciliation in Somalia.

"The Council welcomes the launching of phase III of the Somali National Reconciliation Conference, and encourages all parties to continue in their ongoing efforts to move the process forward and agree on a durable and inclusive solution to the conflict in Somalia and the establishment of a transitional federal Government for Somalia.

"The Council recognizes that, while the establishment of a transitional federal Government will be an important step towards establishing sustainable peace and stability in Somalia, much effort will lie ahead if this objective is to be achieved. The Council emphasizes the need for the new Government, once formed, to engage with the international community and to use the transition period constructively for the purposes of reconciliation, stability and reconstruction.

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[283] S/PRST/2002/8.

[284] S/PRST/2004/24.

[285] S/2004/469.

"The Council reiterates that the Somali parties should abide by and implement expeditiously the Eldoret Declaration of 27 October 2002 on the cessation of hostilities,[282] and calls upon the Somali parties to continue working towards a comprehensive security arrangement for Somalia.

"The Council reiterates that the Somali parties themselves bear the main responsibility for achieving a comprehensive ceasefire throughout Somalia. The Council calls upon the Somali parties to implement the ceasefire fully, to ensure security, and to resolve their differences by peaceful means.

"The Council condemns those who obstruct the peace process, fully supports, in this regard, the warning of the Intergovernmental Authority ministers, and reiterates that those who persist upon the path of confrontation and conflict will be held accountable. The Council will continue to monitor the situation closely.

"The Council welcomes the decision by the African Union to dispatch a reconnaissance mission to prepare the ground for the deployment of military monitors to Somalia, and calls upon Somali leaders to cooperate with this initiative.

"The Council calls upon the international community to continue to support the Intergovernmental Authority in its facilitation of the Somali National Reconciliation Conference, and calls upon donor countries and organizations to contribute to the Conference, the Trust Fund for Peace-building in Somalia and the United Nations Consolidated Inter-Agency Appeal for Somalia.

"The Council reiterates serious concern regarding the humanitarian situation in Somalia, and calls upon Somali leaders to facilitate the delivery of much-needed humanitarian assistance and to assure the safety of all international and national aid workers.

"The Council reiterates its concern over the continued flow of weapons and ammunition supplies to Somalia, commends the work of the Monitoring Group established pursuant to resolution 1519 (2003) of 16 December 2003, and urges relevant States and entities to comply scrupulously with the arms embargo and to cooperate with the Monitoring Group.

"The Council commends the work of Mr. Winston A. Tubman, the Representative of the Secretary-General, welcomes his visit to the region in support of the Intergovernmental Authority on Development-sponsored Somali peace process, and encourages him to continue his facilitation efforts.

"The Council welcomes the Secretary-General's meeting with the Somali parties on 8 July 2004 in Mbagathi, Kenya, and requests the Secretary-General to keep the Council regularly informed of developments at the Somali National Reconciliation Conference and to make timely recommendations on what additional measures could be taken by the Council in support of the Conference and its outcome."

WOMEN AND PEACE AND SECURITY[286]

Decisions

At its 4852nd meeting, on 29 October 2003, the Security Council decided to invite the representatives of Australia, Azerbaijan, Bangladesh, Canada, Colombia, Croatia, the Democratic Republic of the Congo, Egypt, Fiji, Iceland, India, Indonesia, Italy, Japan, Liechtenstein, the Netherlands, Norway, the Philippines, the Republic of Korea, South Africa, Timor-Leste, Ukraine and the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled "Women and peace and security".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Ms. Amy Smythe, Senior Gender Adviser of the United Nations Organization Mission in the Democratic Republic of the Congo.

On 31 October 2003, the President of the Security Council addressed the following letter to the Secretary-General:[287]

> "In my capacity as President of the Security Council, I have the honour to inform you that the Council held an open debate on 29 October 2003 on the implementation of Council resolution 1325 (2000) of 31 October 2000. Thirty-seven speakers expressed their views on the issue.
>
> "I should be grateful if you would have the present letter and the summary of the views expressed (see annex I), along with answers to the questions posed during the meeting to the Department of Peacekeeping Operations (see annex II), circulated as a document of the Council.

"Annex I

"Summary by Ambassador Negroponte, United States representative to the United Nations, in his national capacity, of the open debate on 29 October 2003 on the implementation of Security Council resolution 1325 (2000)

> "The Security Council held an open debate on Council resolution 1325 (2000), on women and peace and security, on 29 October 2003. The Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno, briefed the Council on the efforts of the Department of Peacekeeping Operations to implement the resolution. Ms. Amy Smythe, Senior Gender Adviser for the United Nations Organization Mission in the Democratic Republic of the Congo provided the Council with an operational perspective of the implementation of the resolution and spoke about lessons learned and remaining challenges.
>
> "At the request of Member States and the group of friends of resolution 1325 (2000), the United States of America has compiled the summary of key points below. While not comprehensive, this list represents our understanding of the main messages that came out of the discussion on 29 October.
>
> "(*a*) Council members and non-members alike acknowledged that progress has been made towards implementation of resolution 1325 (2000). However, many speakers commented that much more needs to be done before it can be said that a gender perspective has been incorporated into all United Nations work and that the resolution has been fully implemented;

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[286] Resolutions or decisions on this question were also adopted by the Security Council in 2000, 2001 and 2002.

[287] S/2003/1055.

"(*b*) There was an understanding that progress must be made by the Council, Member States, parties to conflict and the Secretariat;

"(*c*) Speakers called for better follow-up and made a number of suggestions on how to achieve it, including the possibility of naming a Council member to be responsible for tracking implementation;

"(*d*) Speakers acknowledged the important role played by the Office of the Special Adviser on Gender Issues and Advancement of Women and by the United Nations Development Fund for Women;

"(*e*) Speakers acknowledged the valuable role that civil society actors and non-governmental organizations have played, and will continue to play, in advancing implementation;

"(*f*) The value of bringing a field perspective to Council discussions was stressed;

"(*g*) Council members acknowledged that the Council needs to do more to include references to gender, where appropriate, in its resolutions, mission mandates and trip reports, as well as to meet with women in the field when travelling on Council missions;

"(*h*) Speakers noted the need for more women to serve as peacekeepers, military observers and civilian police and understood their national responsibilities to identify and nominate women for these critical duties;

"(*i*) It was also emphasized that the Secretariat must do better at assigning women to senior positions, including as special representatives of the Secretary-General and deputy special representatives. A number of States highlighted the fact that there is only one woman currently serving as a special representative and noted that the level of participation by women is not acceptable. Speakers also recognized the responsibility of Member States to recommend qualified women as candidates for these senior posts;

"(*j*) Member States positively acknowledged that the Gender Adviser post in the Department of Peacekeeping Operations had been filled on an interim basis but stressed the importance of the post being filled on a permanent basis as quickly as possible;

"(*k*) Speakers also appreciated the importance of the role that full-time gender advisers in the field play in making real progress on gender mainstreaming. Several speakers also called for gender advisers to be assigned to all peacekeeping missions;

"(*l*) Speakers emphasized the importance of gender training for United Nations peacekeeping personnel. It was also noted that States that contribute civilian police, military observers and peacekeeping forces should provide pre-deployment briefings on gender awareness;

"(*m*) Several speakers noted the important role that regional organizations can play in helping to implement resolution 1325 (2000);

"(*n*) Speakers noted the need for more systematic documentation of the role that women have played in conflict resolution and peace-building efforts;

"(*o*) Member States acknowledged the important contributions that the report of the Secretary-General and the report of the independent panel of experts have provided to efforts to advance implementation and indicated that they were looking forward to the presentation of the 2004 report of the Secretary-General.

"Annex II

"Letter dated 31 October 2003 from the Under-Secretary-General for Peacekeeping Operations addressed to the President of the Security Council

"During the open meeting on Security Council resolution 1325 (2000) on women and peace and security, you requested that the Department of Peacekeeping Operations prepare written answers to questions raised during the afternoon part of the meeting.

"To this end, please find attached the questions raised by Member States in the afternoon of 29 October regarding peacekeeping operations, with accompanying answers (see enclosure). The first three questions, raised by Australia, were addressed to the Secretariat as a whole; you may wish to request input directly from the other departments.

(*Signed*) Jean-Marie Guéhenno
Under-Secretary-General for Peacekeeping Operations

"Enclosure

"Questions raised by Member States during the open meeting on Security Council resolution 1325 (2000) on 29 October 2003

"*Questions raised by Australia and addressed to the Secretariat*

"1. What are the main hurdles in achieving the implementation of resolution 1325 (2000) in current peacekeeping operations?

"Some of the main hurdles in achieving the implementation of resolution 1325 (2000) in current peacekeeping operations relate to the low number of women personnel in missions, lack of structures to mainstream gender and poor understanding among staff of how to integrate a gender dimension in their daily work.

"Women currently represent one third of all professional staff in peacekeeping missions, and the number of women decreases with increasing seniority. This is a problem that the Department of Peacekeeping Operations is addressing in-house. However, we recognize that we need to be more effective in the coming year in identifying suitable women candidates for senior positions and in recruiting Professional-level women in missions. It is hoped that Member States will continue their efforts to provide more women civilian police and military personnel to peacekeeping operations. Member States also need to include women and men with experience in gender-based crimes to help us address the high rates of violence against women that are common in post-conflict situations.

"Multidimensional missions with gender experts, such as in the Democratic Republic of the Congo, Sierra Leone, Timor-Leste and Kosovo, have made significant progress in implementing resolution 1325 (2000). The hurdles that such missions are facing relate more to their work with outside partners and the challenge of helping such partners move beyond paper commitments to concrete implementation of the resolution. To strengthen systems to mainstream gender at the mission level, the Department will establish in the year to come a network of gender focal points.

"The Department is currently producing a number of guidelines on how to integrate a gender perspective in the different functional areas of its peacekeeping operations. This should help staff take account of gender issues in their day-to-day work. To this end, a gender resource package is in the final stages of being developed. It will cover a wide range of topics, from general information on gender concepts and practical checklists highlighting gender issues in peacekeeping to guidelines on establishing gender units in the field. In addition, in the coming year we will produce a field manual on gender issues for military commanders, as well as one on gender issues in mine action.

"2. Has the Secretariat put into place any institutional mechanisms to monitor progress made in implementation of resolution 1325 (2000)?

"The Department of Peacekeeping Operations is a member of the Inter-Agency Task Force on Women, Peace and Security, which is coordinating United Nations agency efforts on women, peace and security. In addition, the Department established an action plan to implement resolution 1325 (2000), which will be updated in the coming months.

"3. What efforts are being made to ensure that the recommendations in resolution 1325 (2000) are mainstreamed into the work programmes of all United Nations agencies that have a role in conflict and post-conflict situations?

"The post of Gender Adviser at the headquarters of the Department of Peacekeeping Operations headquarters has been filled in the interim, while the recruitment process goes ahead. In addition, new missions, such as those in Liberia and Côte d'Ivoire, have planned for gender expertise among their staff. The network of gender focal points to be established this year will assist the Department in monitoring its progress in implementing resolution 1325 (2000).

"Questions raised by Canada and addressed to Mr. Guéhenno

"4. What are Mr. Guéhenno's views on the prospect of the Department of Peacekeeping Operations undertaking an initiative similar to that of the Department for Disarmament Affairs and the Office for the Coordination of Humanitarian Affairs to facilitate a stronger integration of gender considerations in the activities of the Department?

"The Department of Peacekeeping Operations established an action plan to implement resolution 1325 (2000), which will be updated in the coming months. The review of the action plan will be completed after the Department has taken stock of current gender mainstreaming activities at Headquarters and in the field.

"5. We would be interested in further information on efforts undertaken to ensure that gender perspectives are mainstreamed in all training modules and not confined to gender-specific training modules. We believe this would contribute to tackling this issue.

"At present, the Training and Evaluation Service of the Military Division of the Department of Peacekeeping Operations has produced a lengthy generic gender and peacekeeping training module that covers a range of topics, including gender awareness and gender and human rights. These gender modules are currently part of a standardized generic training package for military personnel and civilian police, to be used in pre-deployment training in Member States. Discussions are under way with the Training and Evaluation Service to ensure that the gender dimension is brought out in each of the other modules. This point will also be raised during upcoming planning meetings with the civilian training unit, which is designing a generic, standardized training package for civilian peacekeeping personnel.

"6. We would be interested in being informed on the follow-up action taken by the Secretariat to convene the meeting requested by the Special Committee on Peacekeeping Operations to discuss ways and means of meeting challenges in the areas of conduct and discipline and minimizing misconduct.

"Following a thorough review of existing policies and procedures on disciplinary issues for all categories of personnel, in July 2003, the Department of Peacekeeping Operations provided all missions with an updated set of disciplinary directives. These cover the issue of sexual abuse and exploitation, as well as other types of serious misconduct. In the coming months, the Department will review existing efforts to prevent and respond to sexual abuse and exploitation at the mission level and to identify good practice for replication elsewhere. Following this stock-taking exercise, the Department will inform

Member States of progress made and its strategy for addressing the problem of sexual abuse and exploitation at the earliest opportunity.

"Question raised by Canada and addressed to Ms. Smythe

"7. We would be interested in Ms. Smythe's views on the challenges she has faced in ensuring that information finds its way from the field to the Council.

"When the Security Council visited Bunia in the Democratic Republic of the Congo this year, they heard first-hand accounts from women of how the conflict had affected their lives. Many of these accounts left a deep impression on the Council members. However, the final Council report on the visit made only passing reference to how the conflict had affected their lives.

"Request for further information from Indonesia

"8. We would like to have further information on plans to establish a database of gender specialists and women's groups and networks in countries and regions in conflict.

"The Department of Peacekeeping Operations and the Department of Political Affairs have established an 'eminent persons' roster' to facilitate the identification of senior personnel for peacekeeping missions. In addition, the Inter-Agency Task Force on Women, Peace and Security, with the Department of Peacekeeping Operations and the Office of the Special Adviser on Gender Issues and Advancement of Women taking lead roles, has been working on designing a database of gender experts. The roster of P-2 to P-5 gender experts would primarily be used by the Department of Peacekeeping Operations but would also be made available to other entities. The aim of the initiative is to improve the Department's access to gender expertise for peacekeeping operations. A total of 2,480 applications have been received so far for the generic posts under social affairs/gender from the P-2 to P-5 grades; these are currently under review."

THE SITUATION IN THE GREAT LAKES REGION[288]

Decisions

On 4 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[289]

> "I have the honour to inform you that your letter dated 30 October 2003 concerning the proposed international conference on the Great Lakes region and your intention to extend until 31 December 2004 the mandate, which will expire on 31 December 2003, of your Special Representative for the region, Mr. Ibrahima Fall,[290] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4865th meeting, on 20 November 2003, the Council decided to invite Mr. Francisco Madeira, Minister of the Presidency for Parliamentary and Diplomatic Issues of Mozambique and representative of the presidency of the African Union, Mr. Abdulkader Shareef, Deputy Minister for Foreign Affairs of the United Republic of Tanzania, and the representative of Italy to participate, without vote, in the discussion of the item entitled:

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[288] Resolutions or decisions on this question were also adopted by the Security Council in 1996 and from 1998 to 2002.

[289] S/2003/1067.

[290] S/2003/1066.

"The situation in the Great Lakes region

"Report of the Secretary-General on preparations for an International Conference on the Great Lakes region (S/2003/1099)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Keli Walubita, Chairperson of the Commission of the African Union for the Great Lakes Region, and Mr. Ibrahima Fall, Special Representative of the Secretary-General for the Great Lakes region.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[291]

"The Security Council recalls the statement by its President of 24 April 1997[292] and its other relevant statements and resolutions calling for the holding at an appropriate time of an international conference on peace, security, democracy and development in the Great Lakes region of Africa, with the participation of all Governments of the region of the Great Lakes and Central Africa and all others concerned, to be organized under the aegis of the United Nations and the African Union, with a view to achieving a sustainable peace, security and stability for all countries in the region, in particular through the full normalization of their relations and the establishment of confidence-building measures and mechanisms.

"The Council considers that the holding of the proposed conference will help to build on the progress made in the Democratic Republic of the Congo and Burundi peace processes towards achieving lasting peace and promoting the national reconciliation processes in all countries concerned in the region.

"The Council welcomes the progress made towards the convening of the proposed conference, expresses its satisfaction at the fact that the countries of the region have launched the preparatory process for the conference with the holding of the first meeting of their national coordinators in Nairobi in June 2003, and considers it now crucial to follow up this initial step with intensified efforts. It takes note with appreciation of the briefing by the Special Representative of the Secretary-General for the Great Lakes region, Mr. Ibrahima Fall, and welcomes the offer made by the Government of Tanzania to host a summit during the year 2004.

"The Council encourages the Governments concerned, with the support of their civil societies and their neighbours and development partners, to continue their efforts to bring about a successful conference, based on a regional, all-inclusive and action-oriented approach. It stresses the importance of the participation in this conference of all States concerned, in particular those neighbouring the Democratic Republic of the Congo or Burundi, and encourages the States in the region to reach early agreement on participation in the conference.

"The Council emphasizes the relevance to the proposed conference of the Solemn Declaration of the Conference on Security, Stability, Development and Cooperation in Africa adopted by the Organization of African Unity Lomé Summit in July 2000, of the Maputo Decision adopted by the Executive Council of the African Union in July 2003 and of the Declaration of Principles on Good-neighbourly Relations and Cooperation adopted by the Governments of Burundi, the Democratic Republic of the Congo, Rwanda, and Uganda in New York on 25 September 2003, as well as of the framework of the New Partnership for Africa's Development.

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[291] S/PRST/2003/23.

[292] S/PRST/1997/22.

"The Council appeals to the countries of the region and to the international community to provide sustained political and diplomatic support as well as adequate technical and financial assistance so that the conference is well prepared and timely, and so that effective follow-up actions are taken. It commends the active partnership between the United Nations and the African Union in all aspects relating to the preparation of the proposed conference, and welcomes the appointment of Mr. Keli Walubita as Special Envoy of the Chairperson of the African Union Commission for the Great Lakes region.

"The Council calls on the countries of the region and the members of the international community to support the efforts of the Special Representative of the Secretary-General for the Great Lakes region and the Special Envoy of the Chairperson of the African Union Commission for the Great Lakes region, expresses its gratitude to the Secretary-General for keeping it informed of developments in the region and requests him to continue to do so on a regular basis."

On 30 June 2004, the President of the Security Council addressed the following letter to the Secretary-General:[293]

"Members of the Security Council have accorded full attention to your letter dated 12 March 2004,[294] in which you refer to progress achieved and expected in preparations for an international conference on the Great Lakes region.

"Council members are grateful to you for appointing a Special Representative to offer, together with the African Union, advice to the Governments concerned in order to help them organize the conference. They appreciate those efforts to promote the establishment of long-lasting relations of good-neighbourliness among States of the region. Since the United Republic of Tanzania currently plans to host the conference in November 2004, they are of the view that the summit should provide the opportunity for strengthening progress achieved by that date. They hope in particular that such a prospect will encourage the Governments concerned to put the finishing touches to the normalization of their relations and put in place confidence-building measures to guarantee the security of their borders.

"While noting that the conference is to be organized under the aegis of the United Nations and the African Union in an active partnership, Council members nevertheless attach considerable importance to the fact that the countries concerned have taken full ownership of it. Therefore, members of the Council have asked for more detailed information on the need for nine additional international civil servants referred to in your letter."

SECURITY COUNCIL MISSION[295]

Decisions

In a letter dated 1 October 2003, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Afghanistan from 31 October to 7 November 2003.[296]

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[293] S/2004/529.

[294] S/2004/528.

[295] Resolutions or decisions on this question were also adopted by the Security Council in 2002 and during the period from 1 January to 31 July 2003.

[296] The letter, which was issued as a Security Council document under the symbol S/2003/930, has been reproduced on page 136 of the present volume.

At its 4855th meeting, on 11 November 2003, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to Afghanistan from 31 October to 7 November 2003".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Gunter Pleuger, head of the Security Council mission to Afghanistan.

At its 4899th meeting, on 23 January 2004, the Council decided to invite the representatives of Côte d'Ivoire, Egypt, Ghana, Ireland, Japan, Mexico, Nigeria, Sierra Leone and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Progress report of the Secretary-General on the recommendations of the Security Council mission to West Africa (S/2003/1147)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tuliameni Kalomoh, Assistant Secretary-General for Political Affairs.

At its 4911th meeting, on 17 February 2004, the Council decided to invite the representatives of Burundi, Egypt, Ireland, Japan, Rwanda and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Progress report of the Secretary-General on the recommendations of the Security Council mission to Central Africa (S/2004/52)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tuliameni Kalomoh, Assistant Secretary-General for Political Affairs.

In a letter dated 15 June 2004, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to West Africa from 20 to 29 June 2004.[297]

At its 5000th meeting, on 30 June 2004, the Council considered the item entitled:

"Security Council mission

"Briefing by the head of the Security Council mission to West Africa".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Sir Emyr Jones Parry, head of the Security Council mission to West Africa.

At its 5005th meeting, on 16 July 2004, the Council decided to invite the representatives of Côte d'Ivoire, Ghana, Guinea, Japan, Liberia, the Netherlands, Nigeria and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to West Africa from 20 to 29 June 2004 (S/2004/525)".

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[297] The letter, which was issued as a Security Council document under the symbol S/2004/491, has been reproduced on page 17 of the present volume.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Dumisani Kumalo, Chairman of the Ad Hoc Advisory Group on Guinea-Bissau of the Economic and Social Council.

THE IMPORTANCE OF MINE ACTION FOR PEACEKEEPING OPERATIONS

Decisions

At its 4858th meeting, on 13 November 2003, the Security Council considered the item entitled "The importance of mine action for peacekeeping operations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Martin Dahinden, Director of the Geneva International Centre for Humanitarian Demining.

At its 4864th meeting, on 19 November 2003, the Council considered the item entitled "The importance of mine action for peacekeeping operations".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[298]

> "The Security Council expresses its grave concern at the harmful and widespread impact of landmines and unexploded ordnance on civilian populations, especially children, and on humanitarian workers and United Nations staff and, in this regard, stresses the vital importance of eliminating the threat of landmines.
>
> "The Council recognizes the long-term consequences of landmines and unexploded ordnance for durable peace, security and development.
>
> "The Council welcomes the effective coordination of mine action activities within the United Nations system and the important mandate of the United Nations Mine Action Service of the Department of Peacekeeping Operations, in particular its role in ensuring the coordination of mine action throughout the United Nations system and the provision of support to multidimensional peacekeeping operations, as well as the role of the United Nations Development Programme in addressing the problem from a development perspective and providing technical, management and resource mobilization assistance to Governments of mine-affected States, and the role of the United Nations Children's Fund as the lead agency for mine-risk education. The Council also recognizes the significant contribution to mine action made by States, international and regional organizations and local and international non-governmental organizations.
>
> "The Council urges all Member States to respect relevant international law that addresses landmines and unexploded ordnance, and the rights of persons affected by them, stressing the importance of international technical assistance in helping mine-affected States to harmonize their domestic laws with international obligations.
>
> "The Council urges all parties to armed conflicts to abide by their mine-related commitments, to cooperate to the fullest extent possible with mine-risk education and mine-clearing activities, and to ensure that abandoned stockpiles are adequately guarded or destroyed.

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[298] S/PRST/2003/22.

"The Council encourages Governments whose countries are affected by the presence of landmines and unexploded ordnance to include a mine action impact assessment in all development planning and to incorporate a strategic plan for mine action in national development plans and poverty reduction strategies.

"The Council recognizes that mine action can play an important role in peace-building and confidence-building in post-conflict situations, and encourages mine-affected States to strengthen cooperation with the United Nations, relevant non-governmental organizations and civil society, where appropriate.

"The Council calls upon the Secretary-General to provide information on the scope and humanitarian impact of the mine and unexploded ordnance problem in all relevant country-specific reports to the Council, and expresses its readiness to consider mine action concerns in all of its country-specific deliberations, as appropriate.

"The Council notes the importance of ensuring that the provision of technical advice and support for mine action is reflected in the mandates and personnel planning for peacekeeping operations, and expresses its intention to address mine action concerns in the mandates and personnel planning for peacekeeping operations, whenever appropriate.

"The Council recognizes the contribution that peacekeeping personnel can make in the areas of mine-risk education and demining, and calls upon troop-contributing countries, where appropriate, to train selected personnel to demine in accordance with the International Mine Action Standards.

"The Council recognizes the important role mine action can play in disarmament, demobilization and reintegration efforts by employing former soldiers in mine action programmes, and encourages the Secretary-General to consider including mine action in disarmament, demobilization and reintegration initiatives and to reflect such proposals in his reports to the Council, as appropriate.

"The Council urges Member States, as appropriate, to provide adequate and sustained financial assistance to support mine action and alleviate the suffering of populations affected by mines and unexploded ordnance, and, whenever possible, to increase their support through further contributions to the Voluntary Trust Fund for Assistance in Mine Action. The Council calls particular attention to the need to address the socio-economic, physical and psychosocial reintegration of landmine survivors, the need to facilitate the orderly return of refugees and internally displaced persons affected by mines and unexploded ordnance, the need to restore land to productive use, and the need to prioritize mine action efforts to enable the risk-free movement of people and goods.

"The Council considers that a comprehensive and coordinated approach by Member States, the United Nations and regional and local organizations is required to address the threat and the impact of mines and unexploded ordnance.

"To this end, the Council supports the general review made by the General Assembly on this matter since 1993, and invites the Secretary-General to address this subject, as needed, in his reports on the general activities of peacekeeping operations."

THE RESPONSIBILITY OF THE SECURITY COUNCIL IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: HIV/AIDS AND INTERNATIONAL PEACEKEEPING OPERATIONS[299]

Decisions

At its 4859th meeting, on 17 November 2003, the Security Council considered the item entitled "The responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Dr. Peter Piot, Executive Director of the Joint United Nations Programme on HIV/AIDS.

THE SITUATION IN AFRICA[300]

Decision

On 21 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[301]

> "I have the honour to inform you that your letter dated 14 November 2003 concerning your decision to extend the appointment of Mr. Mohamed Sahnoun as your Special Adviser on Africa until 31 December 2004[302] has been brought to the attention of the members of the Security Council. They take note of the information and decision contained in your letter."

THE SITUATION IN CYPRUS[303]

Decision

At its 4870th meeting, on 24 November 2003, the Security Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations Operation in Cyprus (S/2003/1078)".

Resolution 1517 (2003)
of 24 November 2003

The Security Council,

Welcoming the report of the Secretary-General of 12 November 2003 on the United Nations operation in Cyprus,[304] and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

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[299] Resolutions or decisions on this question were also adopted by the Security Council in 2000, 2001 and 2002.

[300] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

[301] S/2003/1139.

[302] S/2003/1138.

[303] Resolutions or decisions on this question have been adopted by the Security Council every year since 1963.

[304] S/2003/1078.

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2003,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period, ending 15 June 2004;

3. *Urges* the Turkish Cypriot side and the Turkish forces to rescind all remaining restrictions on the Force;

4. *Expresses its concern* at the further continuing violations by the Turkish Cypriot side and Turkish forces at Strovilia, and urges them to restore the military status quo which existed there prior to 30 June 2000;

5. *Requests* the Secretary-General to submit a report by 1 June 2004 on the implementation of the present resolution;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 4870th meeting.

Decisions

On 30 December 2003, the President of the Security Council addressed the following letter to the Secretary-General:[305]

> "I have the honour to inform you that your letter dated 24 December 2003 concerning your decision to appoint Major General Herbert Joaquin Figoli Almandos, of Uruguay, as the next Force Commander of the United Nations Peacekeeping Force in Cyprus[306] has been brought to the attention of the members of the Security Council. They take note of the decision contained in that letter."

On 12 March 2004, the President of the Security Council addressed the following letter to the Secretary-General:[307]

> "I have the honour to inform you that your letter dated 9 March 2004 concerning your intention to add Peru to the list of countries providing military personnel to the United Nations Peacekeeping Force in Cyprus[308] has been brought to the attention of the members of the Security Council, who have taken note of it."

At its 4940th meeting, on 2 April 2004, the Council considered the item entitled "The situation in Cyprus".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alvaro de Soto, Under-Secretary-General and Special Adviser to the Secretary-General on Cyprus.

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[305] S/2003/1215.

[306] S/2003/1214.

[307] S/2004/198.

[308] S/2004/197.

At its 4947th meeting, on 21 April 2004, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on Cyprus (S/2004/302)".

At its 4954th meeting, on 28 April 2004, the Council considered the item entitled "The situation in Cyprus".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

At its 4986th meeting, on 8 June 2004, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on his mission of good offices in Cyprus (S/2004/437)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alvaro de Soto, Under-Secretary-General and Special Adviser to the Secretary-General on Cyprus.

At its 4989th meeting, on 11 June 2004, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/2004/427)".

Resolution 1548 (2004)
of 11 June 2004

The Security Council,

Welcoming the report of the Secretary-General of 26 May 2004 on the United Nations operation in Cyprus,[309] and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2004,

Welcoming the intention of the Secretary-General to conduct a review, to be completed within three months, on the mandate, force levels and concept of operation of the Force, in view of the referenda on 24 April 2004 and taking into account developments on the ground and the views of the parties,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period, ending 15 December 2004, and to consider the recommendations of the Secretary-General in his review of the Force and to act upon them within one month of receiving them;

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[309] S/2004/427.

3. *Urges* the Turkish Cypriot side and the Turkish forces to rescind without delay all remaining restrictions on the Force, and calls upon them to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

4. *Requests* the Secretary-General to submit a report on the implementation of the present resolution concurrent with the report provided for above;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 4989th meeting.

CENTRAL AFRICAN REGION

Decisions

At its 4871st meeting, on 24 November 2003, the Security Council decided to invite the representatives of Chad, the Congo, the Democratic Republic of the Congo, Equatorial Guinea, Italy and Rwanda to participate, without vote, in the discussion of the item entitled:

"Central African Region

"Letter dated 10 November 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/1077)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tuliameni Kalomoh, Assistant Secretary-General for Political Affairs.

At the same meeting, in response to the request dated 21 November 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Congo to the United Nations addressed to the President of the Security Council,[310] the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Amadou Kébé, Permanent Observer of the African Union to the United Nations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Nelson Cosme, Deputy Secretary-General for Political Affairs of the Economic Community of Central African States.

PROTECTION OF CIVILIANS IN ARMED CONFLICT[311]

Decisions

At its 4877th meeting, on 9 December 2003, the Security Council decided to invite the representatives of Azerbaijan, Canada, Colombia, Egypt, Italy, Japan, Norway, the Republic of Korea, Sierra Leone, Switzerland and Ukraine to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

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[310] Document S/2003/1115, incorporated in the record of the 4871st meeting.

[311] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

At its 4882nd meeting, on 15 December 2003, the Council considered the item entitled "Protection of civilians in armed conflict".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[312]

"The Security Council recalls its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict, as well as the statements by its President of 12 February 1999[313] and 15 March[314] and 20 December 2002,[315] and reaffirms the need to keep the protection of civilians in armed conflict as an important item on the Council's agenda.

"The Council also reaffirms its concern at the suffering inflicted upon and hardships borne by civilians during armed conflict and recognizes the consequent impact that this has on durable peace, reconciliation and development. The Council strongly condemns all attacks and acts of violence directed against civilians or other persons protected under international law, in particular international humanitarian law, in situations of armed conflict, including attacks and acts of violence against women, children, refugees, internally displaced persons and other vulnerable groups. The Council reaffirms the need for parties to armed conflict to take all possible measures to ensure the safety, security and freedom of movement of United Nations and associated personnel as well as personnel of international humanitarian organizations in accordance with applicable international law and recognizes that secure humanitarian access and the swift re-establishment of the rule of law, justice and reconciliation are essential components for an effective transition from conflict to peace. The Council reiterates its call to all parties to armed conflict to comply fully with the provisions of the Charter of the United Nations and with the rules and principles of international law, in particular international humanitarian, human rights and refugee law, and to implement fully the relevant decisions of the Council. The Council recalls the obligations of States to respect and to ensure respect for international humanitarian law, including the four Geneva Conventions of 12 August 1949,[316] and emphasizes the responsibility of States to end impunity and to prosecute those responsible for genocide, war crimes, crimes against humanity and serious violations of humanitarian law. The Council also notes with interest the proposal presented by the Under-Secretary-General for Humanitarian Affairs at the 9 December open meeting of the Council for a '10-point action plan' on the protection of civilians in armed conflict, and looks forward to further discussions and consultations on this issue.

"Recalling that on 15 March 2002 the Council adopted the aide-memoire annexed to the statement by its President[314] as a means to facilitate its consideration of issues pertaining to protection of civilians, and recalling further that in the statement by its President of 20 December 2002[315] the Council expressed its willingness to update the aide-memoire annually in order to reflect emerging trends in the protection of civilians in armed conflict. The Council adopts the updated aide-memoire contained in the annex to the present statement by its President. The Council reiterates the importance of the aide-memoire as a practical tool that provides a basis for improved analysis and diagnosis of key protection issues during deliberations on peacekeeping mandates, and stresses the need to implement the approaches set out therein on a more regular and consistent basis, taking into account the particular circumstances of each conflict situation, and undertakes to remain actively seized of the matter."

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[312] S/PRST/2003/27.

[313] S/PRST/1999/6.

[314] S/PRST/2002/6.

[315] S/PRST/2002/41.

[316] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

"Annex

"Protection of civilians in armed conflict

"Aide-memoire for the consideration of issues pertaining to the protection of civilians during the Security Council's deliberation of peacekeeping mandates

"Protection of civilians in armed conflict is at the core of the work of the Security Council for peace and security. On 15 March 2002, the Council adopted an aide-memoire[314] as a practical guide for its consideration of protection issues and agreed to review and update its contents periodically. The present document provides the first update of this important operational tool, adopted as an annex to the statement by the President of the Security Council of 15 December 2003.[312]

"In a letter dated 21 June 2001 from the President of the Security Council addressed to the Secretary-General,[317] the members of the Council welcomed the report of the Secretary-General of 30 March 2001 on the protection of civilians in armed conflict,[318] and were of the view that further advice of the Secretary-General would be useful in the Council's consideration of the issues contained in the report.

"In order to facilitate due consideration, whenever appropriate, of issues pertaining to the protection of civilians in its deliberations on the establishment, change, or close of peacekeeping operations, the members of the Council suggested that an aide-memoire listing those issues that are relevant in this regard should be drafted in close cooperation with the Council.

"The present aide-memoire is the result of an interactive consultation between the Council and the Secretariat, and comprises the experiences of a wide range of agencies within the United Nations, including the Inter-Agency Standing Committee. The document is based on the Council's previous consideration of these issues, including resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000. It highlights primary objectives for Council action, offers specific issues for consideration in meeting those objectives, and lists previous Council resolutions and presidential statements that make reference to such concerns.

"Bearing in mind that each peacekeeping mandate has to be designed on a case-by-case basis, the document is not intended as a blueprint. The relevance and practicality of each issue described has to be considered and adapted to the specific conditions in each situation. As highlighted in the report of the Secretary-General entitled 'No exit without strategy',[319] the Council should reach agreement on clear and achievable mandates for peace operations based on a common understanding of the conflict. In this respect, mobilization, from the outset, of necessary funding and adequate resources needs to be an integrated part of the Council's overall consideration.

"Most frequently civilians are caught in circumstances of dire need where a peacekeeping operation has not been established. Such situations may require the Council's urgent attention. The present aide-memoire may therefore also provide guidance in circumstances where the Council may wish to consider action outside the scope of a peacekeeping operation.

"As a practical tool, the aide-memoire is without prejudice to the provisions of Council resolutions and other decisions by the Council. The document is regularly reviewed and updated to reflect the latest concerns pertaining to the protection of civilians in armed conflict, including new trends and measures to address them.

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[317] S/2001/614.

[318] S/2001/331.

[319] S/2001/394.

Primary objectives	*Issues for consideration*	*Precedents*
Security for displaced persons and host communities		
1. To prioritize and support the immediate protection needs of displaced persons and civilians in host communities.	Measures to enhance security for displaced persons, support the location of camps in secure areas, and facilitate return under safe and dignified conditions. Measures to enhance security for civilians who remain in their communities and for host communities living in or around areas where refugees or internally displaced persons take shelter. Provision of appropriate and rapid international assistance.	Resolutions 1509 (2003), paras. 3 (*j*) and (*l*) and 6, 1508 (2003), para. 10, 1493 (2003), para. 27, 1484 (2003), para. 1, 1479 (2003), para. 10, 1470 (2003), para. 16, 1427 (2002), para. 12, 1419 (2002), para. 11, 1393 (2002), para. 11, 1355 (2001), para. 14, 1346 (2001), paras. 7–9, 1319 (2000), para. 1, 1296 (2000), paras. 12 and 14, 1286 (2000), para. 12, 1270 (1999), para. 19, 1244 (1999), paras. 9 (*c*), 11 (*k*) and 18 and 1208 (1998), paras. 4 and 12.
2. To prioritize and support the maintenance of the humanitarian and civilian character of camps and settlements for displaced persons.	Provision of external and internal security (screening procedures to separate armed elements from civilians; demobilization and disarmament measures; technical assistance and training by international civilian police and/or military observers; location of camps at a significant distance from international border and risk zones; regional and subregional arrangements). Cooperation with host State in provision of security measures, including through technical assistance and training. Deployment of multidisciplinary assessment and security evaluation teams. Regional approach to massive population displacement, including appropriate security arrangements.	
Access to vulnerable populations		
To facilitate safe and unimpeded access to vulnerable populations as the fundamental prerequisite for humanitarian assistance and protection.	Appropriate security arrangements (role of multinational force; safe corridors; protected areas; armed escorts). Engagement in sustained dialogue with all parties to the armed conflict. Facilitation of the delivery of humanitarian assistance. Compliance with obligations under relevant international humanitarian, human rights and refugee law. Counter-terrorism measures (legislation, training, enforcement, regional and international cooperation) in full compliance with all obligations under international law, in particular international human rights, refugee and humanitarian law.	Resolutions 1509 (2003), paras. 3 (*j*), 5 and 8, 1502 (2003), paras. 4 and 5 (*b*), 1494 (2003), para. 25, 1493 (2003), paras. 12, 15 and 25, 1479 (2003), para. 10, 1456 (2003), annex, para. 6, 1445 (2002), para. 14, 1419 (2002), para. 12, 1417 (2002), para. 7, 1405 (2002), para. 1, 1379 (2001), paras. 4 and 5, 1378 (2001), para. 2, 1314 (2000), paras. 7 and 14, 1296 (2000), paras. 8, 10, 12 and 15, 1286 (2000), paras. 9 and 10, 1279 (1999), paras. 5 (*e*) and 7, 1272 (1999), paras. 2 (*d*), 10 and 11, 1270 (1999), paras. 8 (*d*) and (*g*), 13, 14 and 22, 1265 (1999), paras. 7, 8 and 10, 1264 (1999), para. 2, 1244 (1999), para. 9 (*h*), and presidential statement S/PRST/2000/4.

Primary objectives	*Issues for consideration*	*Precedents*
Safety and security of humanitarian and associated personnel		
To ensure the safety and security of humanitarian, United Nations and associated personnel.	Respect by all parties to the conflict for the impartiality and neutrality of humanitarian operations. Support for a safe and secure working environment for humanitarian personnel.	Resolutions 1509 (2003), paras. 3 (*f*) and 5, 1502 (2003), paras. 1, 3, 4, 5 (*a*)–(*c*) and 6, 1494 (2003), paras. 25 and 26, 1493 (2003), para. 25, 1445 (2002), para. 14, 1417 (2002), para. 7, 1378 (2001), paras. 2 and 5, 1319 (2000), para. 1, 1296 (2000), para.12, 1286 (2000), para. 9, 1272 (1999), para. 10, 1270 (1999), paras. 8 (*d*), 13 and 14, 1265 (1999), paras. 7–10, 1244 (1999), para. 9 (*h*), and presidential statement S/PRST/2000/4.
Security and the rule of law		
To strengthen the capacity of local police and judicial systems to physically protect civilians and enforce law and order.	Deployment of qualified and well-trained international civilian police as a component of peacekeeping operations to enhance the capacity of the United Nations and to assist the host State with law enforcement. Technical assistance for local police, judiciary and penitentiaries (mentoring; legislative drafting; integration of international personnel). Reconstruction and rehabilitation of institutional infrastructure (salaries; buildings; communications). Mechanisms for monitoring and reporting of alleged violations of humanitarian, human rights and criminal law.	Resolutions 1509 (2003), para. 3 (*n*), 1493 (2003), para. 7, 1401 (2002), para. 4, 1400 (2002), para. 7, 1378 (2001), paras. 3 and 4, 1315 (2000), para. 4, 1272 (1999), para. 2 (*a*)–(*c*) and (*e*), 3 (*a*) and 13, 1270 (1999), para. 23, 1265 (1999), para. 15 and 1244 (1999), para. 9 (*d*) and 11 (*i*) and (*j*).
Disarmament, demobilization, reintegration and rehabilitation		
To facilitate the stabilization and rehabilitation of communities.	Programmes for disarmament and demobilization of combatants, including special measures for women, children and dependants (amnesties; weapons buy-back; economic and development incentives). Programmes for reintegration and rehabilitation of ex-combatants within their communities, including special measures for women and children (community service; counselling services; appropriate education/skills training; family reunification; employment opportunities).	Resolutions 1509 (2003), paras. 3 (*f*) and (g), 17 and 18, 1479 (2003), paras. 3 (*f*) and 9, 1460 (2003), para. 13, 1445 (2002), paras. 4–6, 1417 (2002), para. 9, 1400 (2002), para. 6, 1379 (2001), paras. 11 (*c*), (*d*) and (*f*) and 12 (*a*), 1376 (2001), para. 12, 1366 (2001), para. 16, 1325 (2000), paras. 8 (*a*) and 13, 1318 (2000), annex, sect. V, 1296 (2000), para. 16, 1270 (1999), paras. 3, 4, 8 (*b*) and (*c*), 9 and 20, 1265 (1999), para. 12, 1261 (1999), para. 15, and presidential statements S/PRST/2000/10 and S/PRST/1999/28.

Primary objectives	*Issues for consideration*	*Precedents*
	Encouragement of full participation of armed groups in disarmament, demobilization, reintegration and rehabilitation programmes. Measures to address the regional dimensions affecting disarmament, demobilization, reintegration and rehabilitation programmes.	
Small arms and mine action		
To facilitate a secure environment for vulnerable populations and humanitarian personnel.	Mine-action (coordination centres; land-mine clearance; mine-awareness training; victim assistance). Measures to control and reduce the illicit traffic in small arms and light weapons (voluntary moratoria; arms embargoes; sanctions; regional and subregional approaches). Involvement of ex-combatants and local communities, in particular women, in the collection and destruction of small arms and light weapons and in demining and other mine-action activities.	Resolutions 1479 (2003), para. 13, 1460 (2003), para. 7, 1433 (2002), para. 3 (*b*) (ii), 1379 (2001), paras. 6 and 9 (*d*), 1318 (2000), annex, sect. VI, first para., 1314 (2000), para. 8, 1296 (2000), paras. 10 and 20, 1286 (2000), para. 12, 1265 (1999), para. 17, 1261 (1999), paras. 14 and 17 (*a*), 1244 (1999), para. 9 (*e*), and presidential statement S/PRST/1999/28.
Effects on and contribution of women		
1. To address the specific needs of women for assistance and protection.	Special measures to protect women and girls from gender-based discrimination and violence, rape and other forms of sexual violence (access to legal redress, crisis centres, shelters, health care, counselling and other assistance programs; monitoring and reporting mechanisms). Implementation of measures for reporting on and prevention of sexual abuse and exploitation of civilians by humanitarian workers and peacekeepers. Mainstreaming of a gender perspective, including the integration of gender advisers in peace operations.	Resolutions 1509 (2003), para. 11, 1493 (2003), para. 9, 1479 (2003), para. 5, 1460 (2003), para. 10, 1436 (2002), para. 15, 1400 (2002), para. 14, 1379 (2001), para. 4, 1325 (2000), paras. 1, 4, 5, 8 (*a*), 10, 13 and 15, 1314 (2000), paras. 13 and 16 (*e*), 1296 (2000), paras. 9 and 10, and presidential statement S/PRST/2001/31.
2. To strengthen the role of women as constructive actors in developing and implementing appropriate responses to protecting civilians.	Expansion of the representation, role and contribution of women in United Nations field-based operations (among military observers, civilian police and humanitarian and human rights personnel).	

Primary objectives	*Issues for consideration*	*Precedents*
	Increased and more equitable participation of women at all decision-making levels (political processes; organization and management of refugee and internally displaced-persons camps; design and distribution of assistance; local governance; education; rehabilitation policies).	
Effects on children		
To address the specific needs of children for assistance and protection.	Prevention of and putting an end to the recruitment of child soldiers in violation of international law. Initiatives, where appropriate, to secure access to war-affected children (days of immunization; temporary ceasefires; days of tranquillity). Negotiated release of children abducted in situations of armed conflict. Effective measures to disarm, demobilize, reintegrate and rehabilitate children recruited or used in hostilities. Specific provisions for the protection of children, including where appropriate, the integration of child protection advisers in peace operations. Implementation of measures for reporting on, and prevention of, sexual abuse and exploitation of civilians by humanitarian workers and peacekeepers. Family reunification of separated children. Monitoring and reporting on the situation of children.	Resolutions 1509 (2003), paras. 9 and 10, 1493 (2003), para. 13, 1479 (2003), para. 15, 1460 (2003), paras. 3, 9, 10, 12 and 13, 1436 (2002), para. 15, 1400 (2002), para. 14, 1379 (2001), paras. 2, 4, 8 (*e*), 10 (*c*), 11 (*c*), (*d*) and (*f*) and 12 (*a*), 1314 (2000), paras. 11–14, 16 and 17, 1296 (2000), paras. 9 and 10, 1270 (1999), para. 18, 1261 (1999), paras. 2, 8, 13, 15 and 17 (*a*), and presidential statement S/PRST/1998/18.
Justice and reconciliation		
1. To put an end to impunity for those responsible for serious violations of international humanitarian, human rights and criminal law.	Establishment and use of effective arrangements for investigating and prosecuting serious violations of humanitarian and criminal law at the local and/or international level (from the outset of the operation). Cooperation of States for the apprehension and surrender of alleged perpetrators. Technical assistance to strengthen local capacities for apprehension, investigation, and prosecution of alleged perpetrators.	Resolutions 1509 (2003), para. 10, 1479 (2003), para. 8, 1436 (2002), paras. 11 and 15, 1400 (2002), para. 5, 1398 (2002), para. 14, 1379 (2001), para. 9 (*a*), 1325 (2000), para. 11, 1319 (2000), paras. 2 and 3, 1318 (2000), annex, sect. VI, third para., 1315 (2000), paras. 1–3 and 8, 1314 (2000), paras. 2 and 9, 1272 (1999), para. 16, 1270 (1999), para. 17, 1265 (1999), paras. 4 and 6, 1261 (1999), para. 3, 955 (1994), paras. 1 and 2 and 827 (1993), paras. 2 and 4.

Primary objectives	*Issues for consideration*	*Precedents*
	Exclusion of genocide, crimes against humanity and war crimes from amnesty provisions. Referral of situations, where possible and appropriate, to international courts and tribunals.	
2. To build confidence and enhance stability within the host State by promoting truth and reconciliation.	Requests for troop-contributing States to investigate and prosecute, when appropriate, their peacekeepers and security personnel suspected of violating criminal law while in a host State. Appropriate locally adapted mechanisms for truth and reconciliation (technical assistance; funding; amnesties for lower-level perpetrators; just reinstallation of civilians within communities). Measures for restitution and reparations (trust funds; property commissions).	
Training of security and peacekeeping forces		
To ensure adequate sensitization of multinational forces to issues pertaining to the protection of civilians.	Appropriate training in humanitarian and human rights law, civil-military coordination, codes of conduct, negotiation and communication skills, child protection and child rights, gender and cultural sensitization, and the prevention of HIV/AIDS and other communicable diseases.	Resolutions 1460 (2003), para. 9, 1445 (2002), para. 18, 1379 (2001), para. 10 (*b*), 1325 (2000), para. 6, 1318 (2000), annex, sect. III, second para., 1308 (2000), para. 3, 1296 (2000), para. 19, 1270 (1999), para. 15, 1265 (1999), para. 14, and presidential statements S/PRST/2001/31, S/PRST/2001/16 and S/PRST/1998/18.
Media and information		
1. To counter occurrences of speech used to incite violence.	Establishment of media-monitoring mechanisms to ensure effective monitoring, reporting and documenting of any incidents, origins and contents that incite "hate media". Responsive steps to media broadcasts inciting genocide, crimes against humanity and/or serious violations of international humanitarian law, including, as a last resort, consideration of closing down such media broadcasts.	Resolutions 1509 (2003), para. 16, 1417 (2002), paras. 4 and 5, 1353 (2001), annex I, sect. B, paras. 10 and 11 and 1296 (2000), paras. 17 and 18.
2. To promote and support accurate management of information on the conflict.	Technical assistance to draft and enforce anti-hate speech legislation. Establishment of media coordination centres to facilitate accurate and reliable information management on, and awareness of, the conflict. Establishment and assistance of local and international media and information outlets in support of peace operations.	

Primary objectives	*Issues for consideration*	*Precedents*
Natural resources and armed conflict		
To address the impact of natural resource exploitation on the protection of civilians.	Investigation of the linkages between illicit trade in natural resources and the conduct of the conflict. Measures to address the direct or indirect import of natural resources where proceeds are used to fuel conflict (sanctions; regional and subregional approaches). Measures against corporate actors, individuals and entities involved in illicit trade of natural resources in violation of relevant Security Council resolutions and the Charter of the United Nations (legislation; penalties for dealers; certification and registration systems; embargoes).	Resolutions 1509 (2003), para. 3 (*r*), 1493 (2003), para. 28, 1460 (2003), para. 16 (*b*), 1436 (2002), para. 8, 1417 (2002), para. 15, 1379 (2001), paras. 6 and 9 (*d*), 1376 (2001), para. 8, 1318 (2000), annex, sect. VI, second para., 1314 (2000), para. 8 and 1306 (2000), paras. 1, 2, 9 and 19 (*a*).
Humanitarian impact of sanctions		
To minimize unintended adverse side effects of sanctions on the civilian population.	Humanitarian exemptions in sanction regimes. Targeted sanctions (sanctions limited in scope and targeted at specific individuals, groups, or activities). Relevant assessment and review of the humanitarian impact of sanctions, and the behaviour of those targeted by the sanctions.	Resolutions 1478 (2003), paras. 18 and 19, 1409 (2002), paras. 4–6, 1408 (2002), para. 16, 1379 (2001), para. 7, 1343 (2001), paras. 5 (*a*)–(*d*), 6, 7 (*a*) and (*b*) and 13 (*a*), 1333 (2000), paras. 5 (*a*)–(*c*), 7, 8 (*a*)–(*c*), 10–12, 14, 15 (*d*) and 23, 1325 (2000), para. 14, 1314 (2000), para. 15, 1298 (2000), paras. 6–8 and 16, 1296 (2000), para. 21, 1267 (1999), para. 4, 1265 (1999), para. 16, and presidential statement S/PRST/1999/28.

Index of resolutions*

1509 (2003) on the situation in Liberia

1508 (2003) on the situation in Sierra Leone

1502 (2003) on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

1494 (2003) on the situation in Georgia

1493 (2003) on the situation concerning the Democratic Republic of the Congo

1484 (2003) on the situation concerning the Democratic Republic of the Congo

1479 (2003) on the situation in Côte d'Ivoire

1478 (2003) on the situation in Liberia

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* The Security Council also recognized the relevance of General Assembly resolutions 46/182 of 19 December 1991 and 55/2 of 8 September 2000 in the broader context of the protection of civilians and the root causes of conflicts."

1470 (2003) on the situation in Sierra Leone

1460 (2003) on children and armed conflict

1456 (2003) on the high-level meeting of the Security Council: combating terrorism

1445 (2002) on the situation concerning the Democratic Republic of the Congo

1436 (2002) on the situation in Sierra Leone

1433 (2002) on the situation in Angola

1427 (2002) on the situation in Georgia

1419 (2002) on the situation in Afghanistan

1417 (2002) on the situation concerning the Democratic Republic of the Congo

1409 (2002) on the situation between Iraq and Kuwait

1408 (2002) on the situation in Liberia

1405 (2002) on the situation in the Middle East, including the Palestine question

1401 (2002) on the situation in Afghanistan

1400 (2002) on the situation in Sierra Leone

1393 (2002) on the situation in Georgia

1379 (2001) on children and armed conflict

1378 (2001) on the situation in Afghanistan

1376 (2001) on the situation concerning the Democratic Republic of the Congo

1366 (2001) on the role of the Security Council in the prevention of armed conflicts

1355 (2001) on the situation concerning the Democratic Republic of the Congo

1353 (2001) on strengthening cooperation with troop-contributing countries

1346 (2001) on the situation in Sierra Leone

1343 (2001) on the situation in Liberia

1333 (2000) on the situation in Afghanistan

1327 (2000) on ensuring an effective role of the Security Council in the maintenance of international peace and security

1325 (2000) on women and peace and security

1319 (2000) on the situation in East Timor

1318 (2000) on ensuring an effective role for the Security Council in the maintenance of international peace and security, particularly in Africa

1315 (2000) on the situation in Sierra Leone

1314 (2000) on children and armed conflict

1308 (2000) on the responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations

1306 (2000) on the situation in Sierra Leone

1298 (2000) on the situation between Eritrea and Ethiopia

1296 (2000) on the protection of civilians in armed conflict

1286 (2000) on the situation in Burundi

1279 (1999) on the situation concerning the Democratic Republic of the Congo

1272 (1999) on the situation in East Timor

12[illegible] (1999) on the situation in Sierra Leone

1267 (1999) on the situation in Afghanistan

1265 (1999) on the protection of civilians in armed conflict

1264 (1999) on the situation in East Timor

1261 (1999) on children and armed conflict

1244 (1999) on Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)

1208 (1998) on the situation in Africa

955 (1994) on the situation concerning Rwanda

827 (1993) on the establishment of an international tribunal for the prosecution of persons responsible for serious violations in international humanitarian law committed in the territory of the former Yugoslavia

824 (1993) on the situation in the Republic of Bosnia and Herzegovina

Index of presidential statements

S/PRST/2002/41 on the protection of civilians in armed conflict

S/PRST/2002/6 on the protection of civilians in armed conflict

S/PRST/2001/31 on women and peace and security

S/PRST/2001/16 on the responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations

S/PRST/2000/10 on maintaining peace and security and post-conflict peace-building

S/PRST/2000/4 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

S/PRST/1999/28 on small arms

S/PRST/1998/18 on children and armed conflict"

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At its 4990th meeting, on 14 June 2004, the Security Council decided to invite the representatives of Argentina, Canada, Colombia, Côte d'Ivoire, Ecuador, Egypt, Fiji, Ireland, Japan, Liechtenstein, Malaysia, Mexico, Myanmar, Nepal, Norway, the Syrian Arab Republic, South Africa, Switzerland, Uganda and Ukraine, without vote, in the discussion of the item entitled:

"Protection of civilians in armed conflict

> "Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/2004/431)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

BRIEFINGS BY CHAIRMEN OF SECURITY COUNCIL COMMITTEES AND WORKING GROUPS

Decisions

At its 4888th meeting, on 22 December 2003, the Security Council considered the item entitled "Briefings by Chairmen of Security Council committees and working groups".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Gunter Pleuger, Chairman of the Security Council Committee established pursuant to resolution 661 (1990) concerning the situation between Iraq and Kuwait; Mr. Stefan Tafrov, Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia; Mr. Fayssal Mekdad, on behalf of the Chairman of the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda; Mrs. Maria Angelica Arce de Jeannet, on behalf of the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone; and Mr. Martin Belinga-Eboutou, Chairman of the Working Group on General Issues on Sanctions.

SMALL ARMS[320]

Decisions

At its 4896th meeting, on 19 January 2004, the Security Council decided to invite the representatives of Armenia, Canada, Colombia, Costa Rica, Egypt, India, Indonesia, Ireland, Japan, Mali, Mexico, New Zealand, Norway, Peru, the Republic of Korea, the Syrian Arab Republic, Sierra Leone, South Africa, Switzerland, Ukraine and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"Small arms

"Report of the Secretary-General on small arms (S/2003/1217)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Nobuyasu Abe, Under-Secretary-General for Disarmament Affairs.

Upon resumption of the meeting, on 19 January 2004, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[321]

> "The Security Council welcomes the report of the Secretary-General of 31 December 2003 on the implementation of his recommendations to the Council on small arms,[322] and reaffirms the statements by its President of 24 September 1999,[323] 31 August 2001[324] and 31 October 2002.[325]
>
> "The Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, in view of which its attention is

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[320] Resolutions or decisions on this question were also adopted by the Security Council in 1999, 2001 and 2002.

[321] S/PRST/2004/1.

[322] S/2003/1217 and Corr.1.

[323] S/PRST/1999/28.

[324] S/PRST/2001/21.

[325] S/PRST/2002/30.

drawn inevitably to the illicit trade of small arms and light weapons, as such weapons are the most frequently used in armed conflicts. The Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs.

"The Council welcomes all efforts already undertaken by Member States, and calls upon them to fully implement at the national, regional and international levels the recommendations contained in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[326] adopted on 20 July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

"The Council welcomes General Assembly resolution 58/241 of 23 December 2003 by which, among other things, it decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, and calls upon all Member States to support all efforts aimed at this purpose.

"The Council encourages the arms-exporting countries to exercise the highest degree of responsibility in small arms and light weapons transactions. It also encourages international and regional cooperation in the consideration of the origin and transfers of small arms and light weapons in order to prevent their diversion to terrorist groups, in particular, Al Qaida. The Council welcomes the significant steps that have been taken by Member States in this regard. The obligation of Member States to enforce the arms embargo should be coupled with enhanced international and regional cooperation concerning arms exports.

"The Council reiterates its call upon all Member States to effectively implement arms embargoes and other sanction measures imposed by the Council in its relevant resolutions, and urges Member States in a position to do so to provide assistance to interested States in strengthening their capacity to fulfil their obligations in this regard. The Council encourages Member States to undertake vigorous actions aimed at restricting the supply of small arms, light weapons and ammunitions to areas of instability. The Council further encourages Member States to provide the Sanctions Committees with available information on alleged violations of arms embargoes, and also calls upon Member States to give due consideration to the recommendations of the related reports.

"The Council continues to recognize the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes.

"The Council reiterates the importance of carrying out disarmament, demobilization and reintegration programmes, an increasingly essential component of peacekeeping mandates, as comprehensively and effectively as possible in post-conflict situations under its consideration.

"The Council takes note of the inclusion of man-portable air defence systems, on an exceptional basis, in the United Nations Register on Conventional Arms.

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[326] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in all Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

> "The Council requests the Secretary-General to update the Council for its next meeting on the subject on the further implementation of the recommendations contained in his report on small arms of 20 September 2002."[327]

CHILDREN AND ARMED CONFLICT[328]

Decisions

At its 4898th meeting, on 20 January 2004, the Security Council decided to invite the representatives of Armenia, Azerbaijan, Bangladesh, Canada, Colombia, Costa Rica, Ecuador, Egypt, Fiji, India, Indonesia, Ireland, Israel, Japan, Liechtenstein, Mali, Mexico, Monaco, Myanmar, Norway, Sierra Leone, the Syrian Arab Republic, Uganda and Ukraine to participate, without vote, in the discussion of the item entitled:

"Children and armed conflict

> "Report of the Secretary-General on children and armed conflict (S/2003/1053)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict, and Ms. Carol Bellamy, Executive Director of the United Nations Children's Fund.

Upon resumption of the meeting, on 20 January 2004, the Council further decided to invite the representative of Kenya to participate, without vote, in the discussion of the item.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Daniel Toole, Director of the Office of Emergency Programmes of the United Nations Children's Fund.

At its 4948th meeting, on 22 April 2004, the Council considered the item entitled:

"Children and armed conflict

> "Report of the Secretary-General on children and armed conflict (S/2003/1053 and Corr.1 and 2)".

Resolution 1539 (2004)
of 22 April 2004

The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003, which provide a comprehensive framework for addressing the protection of children affected by armed conflict,

Recalling its resolution 1308 (2000) of 17 July 2000 on the responsibility of the Security Council in the maintenance of international peace and security: HIV/AIDS and international peacekeeping operations, and its resolution 1325 (2000) of 31 October 2000 on women and peace and security,

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[327] S/2002/1053.

[328] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

Noting the advances made for the protection of children affected by armed conflict, particularly in the areas of advocacy and the development of norms and standards, while remaining deeply concerned over the lack of overall progress on the ground, where parties to conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict,

Recalling the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Underlining the importance of the full, safe and unhindered access of humanitarian personnel and goods and the delivery of humanitarian assistance to all children affected by armed conflict,

Noting the fact that the conscription or enlistment of children under the age of 15, or using them to participate actively in hostilities in both international and non-international armed conflict, is classified as a war crime by the Rome Statute of the International Criminal Court,[329] and noting also that the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict[330] requires States parties to set a minimum age of 18 for compulsory recruitment and participation in hostilities and to raise the minimum age for voluntary recruitment from that set out in article 38, paragraph 3, of the Convention on the Rights of the Child[331] and to take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities,

Stressing its determination to ensure respect for its resolutions and other international norms and standards for the protection of children affected by armed conflict,

Having considered the report of the Secretary-General of 10 November 2003 submitted pursuant to paragraph 16 of its resolution 1460 (2003),[332] and stressing that the present resolution does not seek to make any legal determination as to whether situations referred to in the report of the Secretary-General are or are not armed conflicts within the context of the Geneva Conventions of 1949[333] and the Additional Protocols thereto, of 1977,[334] nor does it prejudge the legal status of the non-State parties involved in those situations,

1. *Strongly condemns* the recruitment and use of child soldiers by parties to armed conflict in violation of international obligations applicable to them, the killing and maiming of children, rape and other sexual violence mostly committed against girls, abduction and forced displacement, denial of humanitarian access to children, attacks against schools and hospitals, as well as trafficking, forced labour and all forms of slavery and all other violations and abuses committed against children affected by armed conflict;

2. *Requests* the Secretary-General, taking into account the proposals contained in his report[332] as well as any other relevant elements, to devise urgently and preferably within three months, an action plan for a systematic and comprehensive monitoring and reporting mechanism,

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[329] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[330] General Assembly resolution 54/263, annex I.

[331] General Assembly resolution 44/25, annex.

[332] S/2003/1053 and Corr.1 and 2.

[333] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[334] Ibid., vol. 1125, Nos. 17512 and 17513.

which utilizes expertise from the United Nations system and the contributions of national Governments, regional organizations, non-governmental organizations in their advisory capacity and various civil society actors, in order to provide timely, objective, accurate and reliable information on the recruitment and use of child soldiers in violation of applicable international law and on other violations and abuses committed against children affected by armed conflict, for consideration in taking appropriate action;

3. *Expresses its intention* to take appropriate measures, in particular while considering subregional and cross-border activities, to curb linkages between illicit trade in natural and other resources, illicit trafficking in small arms and light weapons, cross-border abduction and recruitment, and armed conflict, which can prolong armed conflict and intensify its impact on children, and consequently requests the Secretary-General to propose effective measures to control this illicit trade and trafficking;

4. *Calls upon* all parties concerned to abide by the international obligations applicable to them relating to the protection of children affected by armed conflict, as well as the concrete commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund and other United Nations agencies, and to cooperate fully with the United Nations peacekeeping missions and United Nations country teams, where appropriate in the context of the cooperation framework between the United Nations and the concerned Government, in the follow-up to and implementation of those commitments;

5. *Takes note with deep concern* of the continued recruitment and use of children, by parties mentioned in the report of the Secretary-General, in situations of armed conflict on the agenda of the Council, in violation of applicable international law relating to the rights and protection of children and, in this regard:

(*a*) Calls upon those parties to prepare, within three months, concrete time-bound action plans to halt the recruitment and use of children in violation of the international obligations applicable to them, in close collaboration with United Nations peacekeeping missions and United Nations country teams, consistent with their respective mandates;

(*b*) Requests the Secretary-General, in order to promote an effective and coordinated follow-up to the present resolution, to ensure that compliance by those parties is reviewed regularly, within existing resources, through a process involving all stakeholders at the country level, including Government representatives, and coordinated by a focal point to be designated by the Secretary-General and who would be in charge of engaging parties in dialogue leading to time-bound action plans, so as to report to the Secretary-General through his Special Representative by 31 July 2004, bearing in mind lessons learned from past dialogues as contained in paragraph 77 of the report of the Secretary-General;

(*c*) Expresses its intention to consider imposing targeted and graduated measures, through country-specific resolutions, such as, inter alia, a ban on the export or supply of small arms and light weapons and other military equipment and on military assistance, against those parties if they refuse to enter into dialogue, fail to develop an action plan or fail to meet the commitments included in their action plan, bearing in mind the report of the Secretary-General;

6. *Also takes note with deep concern* of the continued recruitment and use of children by parties in other situations of armed conflict mentioned in the report of the Secretary-General, in violation of applicable international law relating to the rights and protection of children, calls upon those parties to halt immediately their recruitment or use of children, and expresses, on the basis of timely, objective, accurate and reliable information received from relevant stakeholders, its intention to consider taking appropriate steps to further address this issue, in accordance with the Charter of the United Nations, its resolutions 1379 (2001) and 1460 (2003) and the present resolution;

7. *Decides* to continue the inclusion of specific provisions for the protection of children in the mandates of United Nations peacekeeping operations, including, on a case-by-case basis, the deployment of child protection advisers, and requests the Secretary-General to ensure that the

need for and the number and roles of child protection advisers are systematically assessed during the preparation for each United Nations peacekeeping operation;

8. *Reiterates its request* to all parties concerned, including United Nations agencies, funds and programmes as well as financial institutions, to continue to ensure that all children associated with armed forces and groups, as well as issues related to children, are systematically included in every disarmament, demobilization and reintegration process, taking into account the specific needs and capacities of girls, with a particular emphasis on education, including the monitoring through, inter alia, schools, of children demobilized, in order to prevent re-recruitment, and bearing in mind the assessment of best practices, including those contained in paragraph 65 of the report of the Secretary-General;

9. *Calls upon* States and the United Nations system to recognize the important role of education in conflict areas in halting and preventing recruitment and re-recruitment of children contrary to the obligations of parties to conflict;

10. *Notes with concern* all the cases of sexual exploitation and abuse of women and children, especially girls, in situations of humanitarian crisis, including those cases involving humanitarian workers and peacekeepers, requests contributing countries to incorporate the six core principles of the Inter-Agency Standing Committee on emergencies[335] into pertinent codes of conduct for peacekeeping personnel and to develop appropriate disciplinary and accountability mechanisms, and welcomes the promulgation of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse;[336]

11. *Requests* the agencies, funds and programmes of the United Nations, with support from contributing countries, to implement HIV/AIDS education and offer HIV testing and counselling services for all United Nations peacekeepers, police and humanitarian personnel;

12. *Welcomes* recent initiatives by regional and subregional organizations and arrangements for the protection of children affected by armed conflict, and in this regard notes the adoption by the Economic Community of West African States of a peer review framework on the protection of children and the adoption of "Guidelines on Children and Armed Conflict" by the European Union, and encourages such organizations and arrangements, in cooperation with the United Nations, to pursue their efforts, by, inter alia:

(*a*) Mainstreaming the protection of children affected by armed conflict into their advocacy, policies and programmes, paying special attention to girls;

(*b*) Developing peer review and monitoring and reporting mechanisms;

(*c*) Establishing, within their secretariats, child protection mechanisms;

(*d*) Including child protection staff and training in their peace and field operations;

(*e*) Undertaking subregional and interregional initiatives to end activities harmful to children in times of conflict, in particular, cross-border recruitment and abduction of children, illicit movement of small arms, and illicit trade in natural resources;

13. *Encourages* support for the development and strengthening of capacities of national and regional institutions and local and regional civil society networks to ensure the sustainability of local initiatives for the advocacy, protection and rehabilitation of children affected by armed conflict;

14. *Reiterates its request* to the Secretary-General to ensure that, in all his reports on country-specific situations, the protection of children is included as a specific aspect of the report, expresses its intention to give its full attention to the information provided therein when dealing

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[335] See A/57/465, annex I.

[336] ST/SGB/2003/13.

with those situations on its agenda, and in this regard stresses the primary responsibility of United Nations peacekeeping missions and United Nations country teams, consistent within their respective mandates, to ensure effective follow-up to the present resolution and the other resolutions;

15. *Requests* the Secretary-General to submit a report by 31 October 2004 on the implementation of the present resolution and its resolutions 1379 (2001) and 1460 (2003) which would include, inter alia:

(*a*) Information on compliance and progress made by parties mentioned in his report in situations of armed conflict on the agenda of the Security Council, in accordance with paragraph 5 above, as well as by parties in other situations of armed conflict mentioned in his report, in accordance with paragraph 6 above, in ending the recruitment or use of children in armed conflict in violation of applicable international law relating to the rights and protection of children, bearing in mind all other violations and abuses committed against children affected by armed conflict;

(*b*) Information on progress made regarding the action plan requested in paragraph 2 above that calls for a systematic and comprehensive monitoring and reporting mechanism;

(*c*) The incorporation of best practices for disarmament, demobilization and reintegration programmes outlined in his report;

16. *Decides* to remain actively seized of this matter.

Adopted unanimously at the 4948th meeting.

POST-CONFLICT NATIONAL RECONCILIATION: ROLE OF THE UNITED NATIONS

Decisions

At its 4903rd meeting, on 26 January 2004, the Security Council decided to invite the representatives of Afghanistan, Argentina, Bosnia and Herzegovina, Burundi, Costa Rica, Côte d'Ivoire, Croatia, Egypt, Guatemala, India, Ireland, Japan, Liechtenstein, Mexico, Morocco, Nigeria, Peru, the Republic of Korea, Rwanda, Serbia and Montenegro, Sierra Leone and South Africa to participate, without vote, in the discussion of the item entitled "Post-conflict national reconciliation: role of the United Nations".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tuliameni Kalomoh, Assistant Secretary-General for Political Affairs, Mr. Mark Malloch Brown, Administrator of the United Nations Development Programme, and Ms. Carolyn McAskie, Deputy Emergency Relief Coordinator.

Upon resumption of the meeting, on 26 January 2004, the Council further decided to invite the representative of Cameroon to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[337]

"The Security Council met on 26 January 2004 to consider the item entitled 'Post-conflict national reconciliation: role of the United Nations'. Members expressed their respective views and understandings on, and reaffirmed the vital importance of, this matter, stressing the necessary close cooperation needed in the United Nations system, including the Council, on this issue.

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[337] S/PRST/2004/2.

"The statements underscored the important tasks that must be addressed in post-conflict situations in order to reach the goal of national reconciliation, as well as the relevant experience and expertise that exist within the United Nations system and in Member States.

"Members considered that it would be appropriate to examine further how to harness and direct this expertise and experience drawn up from several key areas, so that it would be more readily accessible to the Council, to the wider United Nations system and membership, and to the international community as a whole, so that the lessons and experience of the past, could be, as appropriate, learned and built on.

"The Council invites the Secretary-General to give consideration to the relevant views expressed in this debate in the preparation of his report on the role of the United Nations in justice and the rule of law.

"The Council invites all Members of the United Nations, and other parts of the United Nations system with relevant experience and expertise, to contribute to this process."

THE SITUATION IN GEORGIA[338]

Decisions

At its 4904th meeting, held in private on 27 January 2004, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4904th meeting, held in private on 27 January 2004, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited Mr. Malkhaz Kakabadze, Minister of Special Affairs of Georgia, at his request, to participate in the discussion of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the Council's provisional rules of procedure.

"The President, with the consent of the Council, extended an invitation under rule 39 of the Council's provisional rules of procedure to Ms. Heidi Tagliavini, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.

"The members of the Council heard a briefing by Ms. Tagliavini.

"The members of the Council, Ms. Tagliavini and Mr. Kakabadze had a constructive exchange of views."

At its 4906th meeting, on 30 January 2004, the Council considered the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2004/26)".

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[338] Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.

Resolution 1524 (2004)
of 30 January 2004

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1494 (2003) of 30 July 2003,

Having considered the report of the Secretary-General of 14 January 2004,[339]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe held in Lisbon in December 1996[340] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[341]

Deploring the fact that the perpetrators of the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001, which resulted in the death of nine people on board, have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Welcoming, however, the positive momentum given to the United Nations-led peace process by regular high-level meetings of the Group of Friends of the Secretary-General in Geneva and the Georgian-Russian summit meeting held in Sochi, Russian Federation, on 6 and 7 March 2003,

Noting the holding of presidential elections in Georgia in January 2004, and encouraging the new Georgian leadership as well as the Abkhaz side to pursue a comprehensive, peaceful political settlement of the conflict in Abkhazia, Georgia,

Welcoming the important contributions made by the Mission and the collective peacekeeping force of the Commonwealth of Independent States in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

1. *Welcomes* the report of the Secretary-General of 14 January 2004;[339]

2. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and the necessity to define the status of Abkhazia within the State of Georgia in strict accordance with these principles;

3. *Commends and strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General, and of the Organization for Security and Cooperation in Europe, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

4. *Stresses, in particular, its strong support* for the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and for its letter of transmittal, finalized by, and with the full support of, all members of the Group of Friends of the Secretary-General;

5. *Deeply regrets* the continued refusal of the Abkhaz side to agree to a discussion on the substance of that document, again strongly urges the Abkhaz side to receive the document and its

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[339] S/2004/26.

[340] S/1997/57, annex.

[341] General Assembly resolution 49/59, annex.

letter of transmittal, urges both parties thereafter to give them full and open consideration and to engage in constructive negotiations on their substance, and urges those having influence with the parties to promote this outcome;

6. *Regrets* the lack of progress on the initiation of political status negotiations, and recalls once again that the purpose of those documents is to facilitate meaningful negotiations between the parties, under the leadership of the United Nations, on the status of Abkhazia within the State of Georgia, and is not an attempt to impose or dictate any specific solution to the parties;

7. *Underlines further* the fact that the process of negotiation leading to a lasting political settlement acceptable to both sides will require concessions from both sides;

8. *Welcomes* the convening of regular meetings of senior representatives of the Group of Friends of the Secretary-General in Geneva and the intention expressed by the parties to accept the invitation to participate in the forthcoming meeting, and calls upon them to participate again in a positive spirit;

9. *Urges* the parties to participate in a more active, regular and structured manner in the task forces established in the first Geneva meeting (to address issues in the priority areas of economic cooperation, the return of internally displaced persons and refugees, and political and security matters) and complemented by the working groups established in Sochi, Russian Federation, and stresses that results-oriented activities in these three priority areas remain key to building common ground between the Georgian and Abkhaz sides and ultimately for concluding meaningful negotiations on a comprehensive political settlement based on the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its letter of transmittal;

10. *Welcomes* the joint Georgian-Abkhaz high-level visit to Bosnia and Herzegovina and to Kosovo, Serbia and Montenegro, led by the Special Representative of the Secretary-General, as agreed in the second Geneva meeting;

11. *Calls upon* the parties to spare no effort to overcome their ongoing mutual mistrust;

12. *Calls again upon* the parties to ensure the necessary revitalization of the peace process in all its major aspects, including their work in the Coordinating Council and its relevant mechanisms, to build on the results of the third meeting on confidence-building measures between the Georgian and Abkhaz sides, held in Yalta, Ukraine, on 15 and 16 March 2001,[342] to implement the proposals agreed on that occasion in a purposeful and cooperative manner, and to consider holding a fourth meeting on confidence-building measures;

13. *Reminds* all concerned to refrain from any action that might impede the peace process;

14. *Stresses* the urgent need for progress on the question of the refugees and internally displaced persons, calls upon both sides to display a genuine commitment to make returns the focus of special attention and to undertake this task in close coordination with the United Nations Observer Mission in Georgia and in consultation with the Office of the United Nations High Commissioner for Refugees and the Group of Friends of the Secretary-General, and recalls the understanding reached at the Sochi summit that the reopening of the Sochi-Tbilisi railway would be undertaken in parallel with the return of refugees and displaced persons, starting in the Gali district;

15. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, and reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with

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[342] S/2001/242, annex.

international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994[343] and the Yalta Declaration;[342]

16. *Recalls* that the Abkhaz side bears a particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population;

17. *Welcomes* the mission led by the United Nations Development Programme to the Gali region from 30 November to 17 December 2003 to assess the feasibility of a sustainable recovery process for the local population and potential returnees and to identify further actions to improve the overall security conditions and ensure sustainable return, and looks forward to the publication of the resulting report;

18. *Welcomes also* the positive consideration given by the parties to the recommendations of the joint assessment mission to the Gali district,[344] urges them once again to implement those recommendations, and in particular calls upon the Abkhaz side to agree to the opening as soon as possible of the Gali branch of the human rights office in Sukhumi and to provide security conditions for its unhindered functioning;

19. *Welcomes further* the start of the deployment of a civilian police component as part of the Mission, as endorsed in resolution 1494 (2003) and agreed by the parties, looks forward to an early confirmation by the Abkhaz side that the deployment in the Gali district of the remaining police officers can proceed, and calls upon the parties to cooperate and actively support the police component;

20. *Calls in particular upon* the Abkhaz side to improve law enforcement involving the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

21. *Calls upon* both parties further to publicly dissociate themselves from any militant rhetoric and demonstrations of support for military options or for the activities of illegal armed groups, notes the efforts undertaken by the Georgian side to put an end to the activities of illegal armed groups, and encourages the parties, in particular the Georgian side, to maintain their efforts;

22. *Condemns* any violations of the provisions of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994;[345]

23. *Welcomes* the continuing relative calm in the Kodori Valley and the intention reaffirmed by the parties to resolve the situation peacefully, recalls its strong support for the protocol signed by the two sides on 2 April 2002 regarding the situation in the valley, and calls upon the sides to continue to fully implement the protocol;

24. *Deplores* the deterioration in the security environment in the Gali sector, including repeated killings and abductions;

25. *Welcomes* the holding of a quadripartite meeting with high-level representation by the parties on 19 January 2004 and their signing of a protocol on security issues, and urges the parties to abide by the provisions of that protocol and the protocol signed by them on 8 October 2003[346] and to cooperate more closely with each other to improve security in the Gali sector;

26. *Calls upon* the Georgian side to continue to improve security for joint patrols of the Mission and the collective peacekeeping force of the Commonwealth of Independent States in the Kodori Valley to enable them to resume independent and regular monitoring of the situation when road conditions permit;

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[343] S/1994/397, annex II.

[344] See S/2001/59, annex II.

[345] S/1994/583 and Corr.1, annex I.

[346] See S/2003/1019, para. 10.

27. *Underlines* the fact that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the collective peacekeeping force and other international personnel, strongly condemns the repeated abductions of personnel of those missions, deeply deplores the fact that none of the perpetrators have ever been identified or brought to justice, and reiterates that it is the responsibility of the parties to end this impunity;

28. *Urges* the parties, once again, to take all necessary steps to identify those responsible for the shooting down of a Mission helicopter on 8 October 2001, to bring them to justice, and to inform the Special Representative of the steps taken;

29. *Decides* to extend the mandate of the Mission for a new period terminating on 31 July 2004, subject to a review, as appropriate, of its mandate by the Council in the event of changes in the mandate of the collective peacekeeping force;

30. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

31. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4906th meeting.

Decisions

At its 4916th meeting, on 26 February 2004, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled "The situation in Georgia".

At its 4958th meeting, on 29 April 2004, the Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2004/315)".

At its 5013th meeting, on 29 July 2004, the Council considered the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2004/570)".

Resolution 1554 (2004)
of 29 July 2004

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1524 (2004) of 30 January 2004,

Welcoming the report of the Secretary-General of 14 July 2004,[347]

Recalling the conclusions of the summits of the Organization for Security and Cooperation in Europe held in Lisbon in December 1996[340] and in Istanbul on 18 and 19 November 1999, regarding the situation in Abkhazia, Georgia,

Recalling also the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[341]

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[347] S/2004/570.

Deploring the fact that the perpetrators of the shooting down of a helicopter of the United Nations Observer Mission in Georgia on 8 October 2001, which resulted in the death of nine people on board, have still not been identified,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Welcoming, however, the positive momentum given to the United Nations-led peace process by regular high-level meetings of the Group of Friends of the Secretary-General in Geneva and the Georgian-Russian summit meetings,

Welcoming the important contributions made by the Mission and the collective peacekeeping force of the Commonwealth of Independent States in stabilizing the situation in the zone of conflict, and stressing its attachment to the close cooperation existing between them in the performance of their respective mandates,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and the necessity to define the status of Abkhazia within the State of Georgia in strict accordance with these principles;

2. *Commends and strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General, and of the Organization for Security and Cooperation in Europe to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Reiterates its strong support* for the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and for its letter of transmittal, finalized by, and with the full support of, all members of the Group of Friends of the Secretary-General;

4. *Deeply regrets* the continued refusal of the Abkhaz side to agree to a discussion on the substance of that document, again strongly urges the Abkhaz side to receive the document and its letter of transmittal, urges both parties thereafter to give them full and open consideration and to engage in constructive negotiations on their substance, and urges those having influence with the parties to promote this outcome;

5. *Regrets* the lack of progress on the initiation of political status negotiations, and recalls once again that the purpose of those documents is to facilitate meaningful negotiations between the parties, under the leadership of the United Nations, on the status of Abkhazia within the State of Georgia, and is not an attempt to impose or dictate any specific solution to the parties;

6. *Calls upon* the parties to spare no effort to overcome their ongoing mutual mistrust, and underlines the fact that the process of negotiation leading to a lasting political settlement acceptable to both sides will require concessions from both sides;

7. *Welcomes* the commitment by the Georgian side to a peaceful resolution of the conflict, and calls upon both parties further to publicly dissociate themselves from all militant rhetoric and demonstrations of support for military options;

8. *Reminds* all concerned to refrain from any action that might impede the peace process;

9. *Welcomes* the convening of regular meetings of senior representatives of the Group of Friends of the Secretary-General and the United Nations in Geneva, and, while regretting that the Abkhaz side did not participate in the last meeting, looks forward to the constructive participation of the parties in the forthcoming meetings;

10. *Urges* the parties to participate in a more active, regular and structured manner in the task forces established in the first Geneva meeting (to address issues in the priority areas of economic cooperation, the return of internally displaced persons and refugees, and political and

security matters) and complemented by the working groups established in Sochi, Russian Federation, in March 2003, and reiterates that results-oriented activities in these three priority areas remain key to building common ground between the Georgian and Abkhaz sides and ultimately for concluding meaningful negotiations on a comprehensive political settlement based on the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its letter of transmittal;

11. *Encourages* the sides in that respect to continue their discussion on security guarantees, and welcomes the meeting held in Sukhumi on 20 May 2004 on this issue;

12. *Calls again upon* the parties to take concrete steps to revitalize the peace process in all its major aspects, including their work in the Coordinating Council and its relevant mechanisms, to build on the results of the third meeting on confidence-building measures between the Georgian and Abkhaz sides, held in Yalta, Ukraine, on 15 and 16 March 2001[342] and to implement the proposals agreed on that occasion in a purposeful and cooperative manner, with a view to holding a fourth meeting on confidence-building measures;

13. *Stresses* the urgent need for progress on the question of the refugees and internally displaced persons, calls upon both sides to display a genuine commitment to make returns the focus of special attention and to undertake this task in close coordination with the Observer Mission in Georgia and in consultation with the Office of the United Nations High Commissioner for Refugees and the Group of Friends of the Secretary-General;

14. *Calls for* the rapid finalization and signature of the letter of intent on returns proposed by the Special Representative of the Secretary-General, and welcomes the recent meetings, with the participation of the Special Representative and the Office of the High Commissioner, of the Sochi working group on refugees and internally displaced persons;

15. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, and reaffirms also the inalienable right of all refugees and internally displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994[343] and the Yalta Declaration;[342]

16. *Recalls* that the Abkhaz side bears a particular responsibility to protect the returnees and to facilitate the return of the remaining displaced population;

17. *Welcomes* the report of the mission led by the United Nations Development Programme to the Gali region from 30 November to 17 December 2003 to assess the feasibility of a sustainable recovery process for the local population and potential returnees and to identify further actions to improve the overall security conditions and ensure sustainable return, and looks forward to further consultations by the United Nations Development Programme and the Mission with the parties, aimed at implementing its recommendations;

18. *Urges* the parties once again to implement the recommendations of the joint assessment mission of November 2000 to the Gali sector,[344] regrets that there has been no progress to that effect despite the positive consideration by the parties given to those recommendations in the first Geneva meeting, and calls again upon the Abkhaz side to agree to the opening as soon as possible of the Gali branch of the human rights office in Sukhumi and to provide security conditions for its unhindered functioning;

19. *Expresses concern* that despite the start of the deployment of a civilian police component as part of the Mission, as endorsed in resolution 1494 (2003) of 30 July 2003 and agreed upon by the parties, the deployment of the remaining officers in the Gali sector is still outstanding, and calls upon the Abkhaz side to allow for a swift deployment of the police component in that region;

20. *Calls in particular upon* the Abkhaz side to improve law enforcement involving the local population and to address the lack of instruction in their mother tongue for the ethnic Georgian population;

21. *Welcomes* the measures taken by the Georgian side to put an end to the activities of illegal armed groups, and encourages the maintenance of those efforts;

22. *Condemns* any violations of the provisions of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994;[345]

23. *Welcomes* the continuing relative calm in the Kodori Valley, and condemns the killings and abductions of civilians as well as the attack on a checkpoint of the collective peacekeeping force of the Commonwealth of Independent States in the Gali sector;

24. *Urges* the parties to abide by the provisions of the protocols on security issues in the Gali sector, signed on 8 October 2003[346] and 19 January 2004, to continue their regular meetings and to cooperate more closely with each other to improve security in the sector;

25. *Calls upon* the Georgian side to provide comprehensive security guarantees to allow for independent and regular monitoring of the situation in the upper Kodori Valley by joint patrols of the Mission and the collective peacekeeping force;

26. *Underlines* the fact that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the collective peacekeeping force and other international personnel, strongly condemns in that respect the repeated abductions of personnel of those missions in the past, deeply deplores the fact that none of the perpetrators have ever been identified or brought to justice, and reiterates again that it is the responsibility of the parties to end this impunity;

27. *Urges* the parties, once again, to take all necessary steps to identify those responsible for the shooting down of a Mission helicopter on 8 October 2001, to bring them to justice, and to inform the Special Representative of the steps taken;

28. *Decides* to extend the mandate of the Mission for a new period terminating on 31 January 2005, subject to a review as appropriate of its mandate by the Council in the event of changes in the mandate of the collective peacekeeping force;

29. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

30. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5013th meeting.

THE QUESTION CONCERNING HAITI[348]

Decisions

At its 4917th meeting, on 26 February 2004, the Security Council decided to invite the representatives of Argentina, the Bahamas, Bolivia, Canada, Cuba, the Dominican Republic, Ecuador, Guatemala, Haiti, Ireland, Jamaica, Japan, Mexico, Nicaragua, Peru and Venezuela to participate, without vote, in the discussion of the item entitled:

> "The question concerning Haiti
>
> "Letter dated 23 February 2004 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the Security Council (S/2004/143)".

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[348] Resolutions or decisions on this question were also adopted by the Security Council from 1993 to 2000.

At the same meeting, in response to the request dated 26 February 2004 from the Permanent Representative of Benin to the United Nations addressed to the President of the Security Council,[349] the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ridha Bouabid, Permanent Observer for the International Organization of la Francophonie.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[350]

"The Security Council expresses deep concern in regard to the deterioration of the political, security and humanitarian environment in Haiti. It deplores the loss of life that has already occurred and fears that the failure, thus far, to reach a political settlement may result in further bloodshed. Continued violence and the breakdown of law and order in Haiti could have destabilizing effects in the region.

"The Council commends the Organization of American States and the Caribbean Community for their lead role in promoting a peaceful solution and for trying to re-establish confidence among the parties, in particular through their Plan of Action.

"The Council supports the Caribbean Community and the Organization of American States as they continue to work towards a peaceful and constitutional solution to the current impasse. The principles outlined in the Caribbean Community/Organization of American States Plan of Action represent an important basis for a solution to the crisis. The Council calls upon the parties to act responsibly by choosing negotiation instead of confrontation. An accelerated timetable now seems necessary.

"The Council is deeply concerned with the prospect of further violence in Haiti and acknowledges the call for international involvement in Haiti. The Council will consider urgently options for international engagement, including that of an international force in support of a political settlement in accordance with the Charter of the United Nations.

"The Council calls upon all sides in Haiti's conflict to facilitate the distribution of food and medicine and ensure the protection of civilians. It calls upon all sides to respect international humanitarian personnel and facilities and to ensure that humanitarian assistance reaches those who need it.

"The Council calls upon the Government and all other parties to respect human rights and to cease the use of violence to advance political goals. Those responsible for human rights violations will be held accountable.

"The Council supports the Secretary-General's decision to name a Special Adviser for Haiti.

"The Council will continue to monitor closely the situation in Haiti and remains seized of the matter."

On 27 February 2004, the President of the Security Council addressed the following letter to the Secretary-General:[351]

"I have the honour to inform you that your letter dated 26 February 2004 concerning your decision to appoint Mr. John Reginald Dumas, of Trinidad and Tobago, as your Special Adviser for Haiti[352] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

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[349] Document S/2004/147, incorporated in the record of the 4917th meeting.

[350] S/PRST/2004/4.

[351] S/2004/162.

[352] S/2004/161.

At its 4919th meeting, on 29 February 2004, the Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled "The question concerning Haiti".

Resolution 1529 (2004)
of 29 February 2004

The Security Council,

Recalling its resolutions as well as the statements by its President concerning Haiti, in particular the statement of 26 February 2004,[350]

Deeply concerned by the deterioration of the political, security and humanitarian situation in Haiti, and deploring the loss of life that has already occurred,

Expressing its utmost concern at the continuing violence in Haiti, as well as the potential for a rapid deterioration of the humanitarian situation in that country, and its destabilizing effect on the region,

Stressing the need to create a secure environment in Haiti and the region that enables respect for human rights, including the well-being of civilians, and supports the mission of humanitarian workers,

Commending the Organization of American States and the Caribbean Community for their lead efforts to advance a peaceful solution and for attempting to establish confidence among the parties, in particular through their Plan of Action,

Taking note of the resignation of Jean-Bertrand Aristide as President of Haiti and the swearing-in of Boniface Alexandre as the Acting President of Haiti in accordance with the Constitution of Haiti,

Acknowledging the appeal of the new President of Haiti for the urgent support of the international community to assist in restoring peace and security in Haiti and to further the constitutional political process now under way,

Determined to support a peaceful and constitutional solution to the current crisis in Haiti,

Determining that the situation in Haiti constitutes a threat to international peace and security and to stability in the Caribbean, especially through the potential outflow of people to other States in the subregion,

Acting under Chapter VII of the Charter of the United Nations,

1. *Calls upon* Member States to support the constitutional succession and political process now under way in Haiti and the promotion of a peaceful and lasting solution to the current crisis;

2. *Authorizes* the immediate deployment of a Multinational Interim Force in Haiti for a period of not more than three months from the adoption of the present resolution:

(*a*) To contribute to a secure and stable environment in the Haitian capital and elsewhere in the country, as appropriate and as circumstances permit, in order to support Haitian President Alexandre's request for international assistance to support the constitutional political process under way in Haiti;

(*b*) To facilitate the provision of humanitarian assistance and the access of international humanitarian workers to the Haitian people in need;

(*c*) To facilitate the provision of international assistance to the Haitian police and the Haitian Coast Guard in order to establish and maintain public safety and law and order and to promote and protect human rights;

(*d*) To support the establishment of conditions for international and regional organizations, including the United Nations and the Organization of American States, to assist the Haitian people;

(*e*) To coordinate, as needed, with the Special Mission of the Organization of American States and with the United Nations Special Adviser for Haiti, to prevent further deterioration of the humanitarian situation;

3. *Declares its readiness* to establish a follow-on United Nations stabilization force to support continuation of a peaceful and constitutional political process and the maintenance of a secure and stable environment, and in this regard requests the Secretary-General, in consultation with the Organization of American States, to submit to the Council recommendations, preferably by thirty days from the adoption of the present resolution, for the size, structure and mandate of such a force, including the role of international police and the means of coordination with the Special Mission of the Organization of American States, and for subsequent deployment of the United Nations force not later than three months from the adoption of the present resolution;

4. *Welcomes* the appointment by the Secretary-General on 26 February 2004 of a Special Adviser for Haiti, and requests the Secretary-General to elaborate a programme of action for the United Nations to assist the constitutional political process and support humanitarian and economic assistance and promote the protection of human rights and the development of the rule of law;

5. *Calls upon* Member States to contribute personnel, equipment and other necessary financial and logistic resources on an urgent basis to the Multinational Interim Force, invites contributing Member States to inform the leadership of the Force and the Secretary-General of their intent to participate in the mission, and stresses the importance of voluntary contributions to help defray the expenses of the Force that participating Member States will bear;

6. *Authorizes* the Member States participating in the Multinational Interim Force to take all necessary measures to fulfil its mandate;

7. *Demands* that all parties to the conflict in Haiti cease using violent means, reiterates that all parties must respect international law, including with respect to human rights, and that there will be individual accountability and no impunity for violators, and also demands that parties respect the constitutional succession and the political process under way to resolve the current crisis and enable legitimate Haitian security forces and other public institutions to perform their duties and provide access to humanitarian agencies to carry out their work;

8. *Further calls upon* all parties in Haiti and on Member States to cooperate fully with the Multinational Interim Force in the execution of its mandate and to respect the security and freedom of movement of the Force, as well as to facilitate the safe and unimpeded access of international humanitarian personnel and aid to populations in need in Haiti;

9. *Requests* the leadership of the Multinational Interim Force to report periodically to the Council, through the Secretary-General, on the implementation of its mandate;

10. *Calls upon* the international community, in particular the United Nations, the Organization of American States and the Caribbean Community, to work with the people of Haiti in a long-term effort to promote the rebuilding of democratic institutions and to assist in the development of a strategy to promote social and economic development and to combat poverty;

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 4919th meeting.

Decision

At its 4961st meeting, on 30 April 2004, the Security Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on Haiti (S/2004/300)".

Resolution 1542 (2004)

of 30 April 2004

The Security Council,

Recalling its resolution 1529 (2004) of 29 February 2004,

Welcoming the report of the Secretary-General of 16 April 2004,[353] and supporting its recommendations,

Affirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Deploring all violations of human rights, particularly against the civilian population, and urging the Transitional Government of Haiti ("Transitional Government") to take all necessary measures to put an end to impunity and to ensure that the continued promotion and protection of human rights and the establishment of a State based on the rule of law and an independent judiciary are among its highest priorities,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security and its resolutions 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003 and 1539 (2004) of 22 April 2004 on children and armed conflict, as well as its resolutions 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Commending the rapid and professional deployment of the Multinational Interim Force in Haiti and the stabilization efforts it has undertaken,

Taking note of the political agreement reached by some key parties on 4 April 2004, and urging all parties to work without delay towards a broad political consensus on the nature and duration of the political transition,

Reiterating its call upon the international community to continue to assist and support the economic, social and institutional development of Haiti over the long term, and welcoming the intention of the Organization of American States, the Caribbean Community, and of the international donor community, as well as international financial institutions, to participate in those efforts,

Noting the existence of challenges to the political, social and economic stability of Haiti, and determining that the situation in Haiti continues to constitute a threat to international peace and security in the region,

1. *Decides* to establish the United Nations Stabilization Mission in Haiti, the stabilization force called for in resolution 1529 (2004), for an initial period of six months, with the intention to

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[353] S/2004/300.

renew it for further periods, and requests that authority be transferred from the Multinational Interim Force in Haiti to the Mission on 1 June 2004;

2. *Authorizes* remaining elements of the Multinational Interim Force to continue carrying out its mandate under resolution 1529 (2004) within the means available for a transition period not exceeding thirty days from 1 June 2004, as required and requested by the Mission;

3. *Requests* the Secretary-General to appoint a Special Representative for Haiti, who will have overall authority on the ground for the coordination and conduct of all the activities of the United Nations agencies, funds and programmes in Haiti;

4. *Decides* that the Mission will consist of a civilian and a military component, in accordance with the report of the Secretary-General on Haiti,[353] the civilian component to include a maximum of 1,622 civilian police, including advisers and formed units, and the military component to include up to 6,700 troops of all ranks, and requests further that the military component report directly to the Special Representative through the Force Commander;

5. *Supports* the establishment of a Core Group chaired by the Special Representative and comprising also his/her Deputies, the Force Commander, representatives of the Organization of American States and the Caribbean Community, other regional and subregional organizations, international financial institutions and other major stakeholders, in order to facilitate the implementation of the Mission's mandate, promote interaction with the Haitian authorities as partners, and enhance the effectiveness of the international community's response in Haiti, as outlined in the report of the Secretary-General;

6. *Requests* that, in carrying out its mandate, the Mission cooperate and coordinate with the Organization of American States and the Caribbean Community;

7. *Acting* under Chapter VII of the Charter of the United Nations with regard to section I below, decides that the Mission shall have the following mandate:

I. *Secure and stable environment:*

(*a*) To ensure a secure and stable environment, in support of the Transitional Government, within which the constitutional and political process in Haiti can take place;

(*b*) To assist the Transitional Government in monitoring, restructuring and reforming the Haitian National Police, consistent with democratic policing standards, including through the vetting and certification of its personnel, advising on its reorganization and training, including gender training, as well as monitoring/mentoring members of the Haitian National Police;

(*c*) To assist the Transitional Government, particularly the Haitian National Police, with comprehensive and sustainable disarmament, demobilization and reintegration programmes for all armed groups, including women and children associated with such groups, as well as weapons control and public security measures;

(*d*) To assist with the restoration and maintenance of the rule of law, public safety and public order in Haiti through the provision, inter alia, of operational support to the Haitian National Police and the Haitian Coast Guard, as well as with their institutional strengthening, including the re-establishment of the corrections system;

(*e*) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its personnel, taking into account the primary responsibility of the Transitional Government in that regard;

(*f*) To protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, without prejudice to the responsibilities of the Transitional Government and of police authorities;

II. *Political process:*

(*a*) To support the constitutional and political process under way in Haiti, including through good offices, and to foster principles of democratic governance and institutional development;

(*b*) To assist the Transitional Government in its efforts to bring about a process of national dialogue and reconciliation;

(*c*) To assist the Transitional Government in its efforts to organize, monitor, and carry out free and fair municipal, parliamentary and presidential elections at the earliest possible date, in particular through the provision of technical, logistical, and administrative assistance and continued security, with appropriate support to an electoral process with voter participation that is representative of the national demographics, including women;

(*d*) To assist the Transitional Government in extending State authority throughout Haiti and support good governance at local levels;

III. *Human rights:*

(*a*) To support the Transitional Government as well as Haitian human rights institutions and groups in their efforts to promote and protect human rights, particularly of women and children, in order to ensure individual accountability for human rights abuses and redress for victims;

(*b*) To monitor and report on the human rights situation, in cooperation with the Office of the United Nations High Commissioner for Human Rights, including on the situation of returned refugees and displaced persons;

8. *Decides* that the Mission, in collaboration with other partners, shall provide advice and assistance within its capacity to the Transitional Government:

(*a*) In the investigation of human rights violations and violations of international humanitarian law, in collaboration with the Office of the High Commissioner, to put an end to impunity;

(*b*) In the development of a strategy for reform and institutional strengthening of the judiciary;

9. *Decides also* that the Mission shall coordinate and cooperate with the Transitional Government, as well as with their international partners, in order to facilitate the provision and coordination of humanitarian assistance and access of humanitarian workers to Haitian people in need, with a particular focus on the most vulnerable segments of society, particularly women and children;

10. *Authorizes* the Secretary-General to take all necessary steps to facilitate and support the early deployment of the Mission in advance of the United Nations assumption of responsibilities from the Multinational Interim Force;

11. *Requests* the Haitian authorities to conclude a status-of-forces agreement for peacekeeping operations with the Secretary-General within thirty days of adoption of the present resolution, and notes that, pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[354] shall apply provisionally;

12. *Demands* strict respect for the persons and premises of the United Nations and associated personnel, the Organization of American States, the Caribbean Community and other international and humanitarian organizations, as well as diplomatic missions in Haiti, and that no

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[354] A/45/594, annex.

acts of intimidation or violence be directed against personnel engaged in humanitarian, development or peacekeeping work, and demands further that all parties in Haiti provide safe and unimpeded access to humanitarian agencies to allow them to carry out their work;

13. *Emphasizes* the need for Member States, United Nations organs, bodies and agencies and other international organizations, in particular the Organization of American States and the Caribbean Community, other regional and subregional organizations, international financial institutions and non-governmental organizations to continue to contribute to the promotion of the social and economic development of Haiti, in particular for the long term, in order to achieve and sustain stability and combat poverty;

14. *Urges* all the above-mentioned stakeholders, in particular the United Nations organs, bodies and agencies to assist the Transitional Government of Haiti in the design of a long-term development strategy to this effect;

15. *Calls upon* Member States to provide substantial international aid to meet the humanitarian needs in Haiti and to permit the reconstruction of the country, utilizing relevant coordination mechanisms, and further calls upon States, in particular those in the region, to provide appropriate support for the actions undertaken by the United Nations organs, bodies and agencies;

16. *Requests* the Secretary-General to provide an interim report to the Council on the implementation of the present mandate, and to provide an additional report, prior to the expiration of the mandate, containing recommendations to the Council on whether to extend, restructure or reshape the Mission in order to ensure that the Mission and its mandate remain relevant to changes in the political, security and economic development situation in Haiti;

17. *Decides* to remain seized of the matter.

Adopted unanimously at the 4961st meeting.

Decisions

On 1 June 2004, the President of the Security Council addressed the following letter to the Secretary-General:[355]

> "I have the honour to inform you that your letter dated 27 May 2004 concerning your intention to appoint Lieutenant-General Augusto Heleno Ribeiro Pereira, of Brazil, as Force Commander of the United Nations Stabilization Mission in Haiti[356] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 13 July 2004, the President of the Security Council addressed the following letter to the Secretary-General:[357]

> "I have the honour to inform you that your letter dated 12 July 2004 concerning your intention to appoint Mr. Juan Gabriel Valdés, of Chile, as your Special Representative and Head of the United Nations Stabilization Mission in Haiti[358] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[355] S/2004/440.

[356] S/2004/439.

[357] S/2004/566.

[358] S/2004/565.

CROSS-BORDER ISSUES IN WEST AFRICA

Decisions

At its 4933rd meeting, on 25 March 2004, the Security Council decided to invite the representatives of Ghana, Ireland and Japan to participate, without vote, in the discussion of the item entitled:

"Cross-border issues in West Africa

"Report of the Secretary-General on ways to combat subregional and cross-border problems in West Africa (S/2004/200)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States, Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Mr. Zéphirin Diabré, Associate Administrator of the United Nations Development Programme.

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[359]

"The Security Council, recalling its relevant resolutions and the statements by its President, emphasizes the importance of addressing the continuing factors of instability in West Africa within a regional framework. It recognizes the need for a comprehensive and composite approach for durable solutions to the complex crises and conflicts in West Africa. Such an approach should address the root causes of conflict and consider means to promote sustainable peace and security, including development and economic revival, good governance and political reform.

"The Council takes note in this regard of the report of the Secretary-General of 12 March 2004[360] and its recommendations to address cross-border issues, in particular the plight of child soldiers and the use and proliferation of mercenaries and small arms, within the context of a regional approach. The Council believes action on the report should be taken as part of a wider strategy of conflict prevention, crisis management and post-conflict stabilization in the subregion.

"The Council welcomes the principles set out by the African Union and the New Partnership for Africa's Development which provide an important framework for such action. It encourages the States members of the Economic Community of West African States to ensure that these are fully implemented. It consequently urges the Economic Community of West African States to work closely with the United Nations system, the international financial institutions and other international and regional organizations concerned, including the newly established African Union Peace and Security Council, as well as with interested States, in drafting a regional conflict prevention policy taking fully into account the recommendations of the recent joint United Nations and European Union mission to the region.

"The Council stresses the importance of the role of the Special Representative of the Secretary-General for West Africa in facilitating the coordination of a coherent United Nations approach to cross-border and transnational problems in the subregion.

"The Council encourages the Special Representative of the Secretary-General for West Africa to continue to hold regular meetings on coordination among the United Nations missions in the region in the interest of improved cohesion and maximum efficiency of United Nations activities in West Africa. It also encourages the greatest possible harmonization among United Nations agencies within countries of the subregion.

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[359] S/PRST/2004/7.

[360] S/2004/200.

"The Council requests the Secretary-General to encourage the United Nations missions in West Africa to share information and their logistic and administrative resources as far as possible, without impeding the satisfactory execution of their respective mandates, in order to increase their effectiveness and reduce costs.

"The Council expresses its intention to consider the recommendations of the Secretary-General to facilitate cross-border operations and to strengthen cooperation among the United Nations missions in the region, including the possibility of 'hot pursuit' operations, joint air patrolling, shared border responsibility, the possible reinforcement of airspace monitoring and joint planning for the repatriation of foreign combatants. It looks forward to receiving, as soon as possible, the recommendations of the Secretary-General, after due consultation with the Governments concerned. It also encourages the States in the subregion to organize common patrols along their respective borders, jointly if need be, with the respective United Nations peacekeeping operations.

"The Council invites the Secretary-General and the Economic Community of West African States to take the requisite practical decisions to improve the coordination of the activities of the United Nations and the Economic Community of West African States in West Africa.

"The Council stresses the importance of a regional approach in the preparation and implementation of demobilization, disarmament and reintegration programmes. To this end it invites the United Nations missions in West Africa, the Governments concerned, the appropriate financial institutions, international development agencies and donor countries to work together to harmonize individual country demobilization, disarmament and reintegration programmes within an overarching regional strategy to design community development programmes to be implemented alongside demobilization, disarmament and reintegration programmes, and to pay special attention to the specific needs of children in armed conflict.

"The Council reiterates the importance of finding durable solutions to the problem of refugees and displaced persons in the subregion, and urges the States in the region to promote necessary conditions for their voluntary and safe return with the support of relevant international organizations and donor countries.

"The Council considers that illegal trafficking in arms poses a threat to international peace and security in the region. It, therefore, urges the States members of the Economic Community of West African States to fully implement their moratorium on the import, export and manufacture of light weapons, signed in Abuja on 31 October 1998.[361] It also invites them to study the possibility of strengthening its provisions.

"The Council invites the States members of the Economic Community of West African States to take all necessary steps to better combat illegal trafficking in small arms and light weapons in the region, such as the establishment of a regional register of small arms and light weapons. The Council calls on donor countries to help the member States implement these steps.

"The Council urges all States, in particular those in the region and those with a capacity to export arms, to ensure that arms embargoes are fully implemented in the subregion. It expresses its intention to pay close attention and remain in consultation with the Economic Community of West African States and Member States on steps to stop the illicit flows of arms to conflict zones in the region.

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[361] S/1998/1194, annex.

"The Council recognizes the need to address both the supply and demand side with regard to private companies selling illegally small arms or security services, and invites the Governments concerned to take appropriate steps to prevent such illegal sales.

"The Council recalls the measures it has implemented on the illegal exploitation and trade of diamonds and timber in the subregion, and encourages the Economic Community of West African States and its member States to promote transparent and sustainable exploitation of those resources.

"The Council encourages the Economic Community of West African States to publicly identify parties and actors who are shown to engage in illicit trafficking of small arms in the subregion and use mercenaries, and expresses its intention to consider adopting this practice in relation to the conflicts in West Africa.

"The Council recalls that the existence of the many illegitimate checkpoints and the practice of extortion at those checkpoints in the region harms the security of civilians and is a major stumbling block to the economic development of all West Africa. It therefore invites the Governments concerned to take the necessary steps to effectively address this impediment to regional economic integration with the support of the international community.

"The Council calls upon the States members of the Economic Community of West African States to work together to agree to a coherent approach to the problem of foreign combatants.

"The Council calls upon the Mano River Union States to resume dialogue and to consider holding a summit of heads of State and meetings of ministers to develop a common approach to their shared security issues and confidence-building measures.

"The Council considers that civil society actors, including the media, have an important role to play in crisis management and conflict prevention in the region and that their efforts in this regard deserve to be actively supported by the regional States, the Economic Community of West African States, the international community and the United Nations system. Increased support should be provided for the media to raise awareness about the plight of child soldiers, the use and proliferation of small arms and the recruitment of mercenaries.

"The Council welcomes the consideration being given in the International Contact Group on Liberia to broadening its mandate to the cross-border issues concerning Liberia and its neighbouring countries.

"The Council considers reform of the security sector an essential element for peace and stability in West Africa, and urgently calls upon donor countries and the international financial community to coordinate their efforts to support the Economic Community of West African States, in particular its Executive Secretariat, and to assist the States in the subregion in their efforts to reform the security sector.

"The Council, in the context of its emphasis on the regional dimension of the problems in West Africa, expresses its intention to keep under review the implementation of the above-mentioned recommendations, and requests the Secretary-General to report on them at the occasion of his regular reports on the United Nations missions in the subregion."

THE ROLE OF BUSINESS IN CONFLICT PREVENTION, PEACEKEEPING AND POST-CONFLICT PEACE-BUILDING

Decisions

At its 4943rd meeting, on 15 April 2004, the Security Council considered the item entitled "The role of business in conflict prevention, peacekeeping and post-conflict peace-building".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. James D. Wolfensohn, President of the World Bank, Mr. Heinrich von Pierer, President and Chief Executive Officer of Siemens, Ms. Marjatta Rasi, President of the Economic and Social Council, and Mr. Dumisani Kumalo, Chairman of the Ad Hoc Advisory Group on African Countries Emerging From Conflict.

COMMUNICATION CONCERNING RELATIONS BETWEEN CAMEROON AND NIGERIA

Decision

On 15 April 2004, the President of the Security Council addressed the following letter to the Secretary-General:[362]

> "I have the honour to inform you that your letter dated 17 March 2004 concerning your intention to continue the activities of the United Nations support team to the Cameroon-Nigeria Mixed Commission with funding from the regular budget[363] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein. They urge the parties to the Mixed Commission to work with international donors to seek further voluntary contributions."

DECISION OF THE LIBYAN ARAB JAMAHIRIYA TO ABANDON ITS WEAPONS OF MASS DESTRUCTION PROGRAMMES

Decisions

At its 4949th meeting, on 22 April 2004, the Security Council considered the item entitled "Decision of the Libyan Arab Jamahiriya to abandon its weapons of mass destruction programmes".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[364]

> "The Security Council takes note of resolution 2004/18 of 10 March 2004 of the Board of Governors of the International Atomic Energy Agency regarding the implementation of the safeguards agreement of the Socialist People's Libyan Arab Jamahiriya, a State party to the Treaty on the Non-proliferation of Nuclear Weapons,[365] by which the Board requested the Director General of the International Atomic Energy Agency to report a case of non-compliance to the Security Council for information purposes only, while commending the Socialist People's Libyan Arab Jamahiriya for the actions it has taken to date and those it has proposed to take to remedy it.
>
> "The Council welcomes the decision by the Socialist People's Libyan Arab Jamahiriya to abandon its programmes for developing weapons of mass destruction and their means of delivery and the positive steps taken to fulfil its commitments and obligations, including its active cooperation with the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons.

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[362] S/2004/299.

[363] S/2004/298.

[364] S/PRST/2004/10.

[365] United Nations, *Treaty Series*, vol. 729, No. 10485.

"The Council takes note that in its resolution 2004/18 the Board of Governors of the International Atomic Energy Agency recognized the decision of the Socialist People's Libyan Arab Jamahiriya as a step towards the realization of the goal of an Africa and a Middle East free of weapons of mass destruction and at peace.

"The Council reaffirms the need to seek to resolve proliferation problems by peaceful means through political and diplomatic channels.

"The Council welcomes existing and future efforts to assist the Socialist People's Libyan Arab Jamahiriya in this task, and expresses the hope that the steps taken by the Socialist People's Libyan Arab Jamahiriya would facilitate and improve international cooperation with and enhance the security of that country.

"The Council encourages the Socialist People's Libyan Arab Jamahiriya to ensure the verified elimination of all of its weapons of mass destruction programmes. It welcomes the roles played in that regard by the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons in facilitating the fulfilment of the commitments of the Socialist People's Libyan Arab Jamahiriya, demonstrating the importance and usefulness of existing international treaty regimes.

"The Council expresses the hope that resolution 2004/18 will be implemented in the spirit of continued cooperation."

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Decisions

At its 4950th meeting, on 22 April 2004, the Security Council decided to invite the representatives of Albania, Argentina, Australia, Austria, Belarus, Canada, Cuba, Egypt, India, Indonesia, the Islamic Republic of Iran, Ireland, Israel, Japan, Jordan, Kazakhstan, Kuwait, Liechtenstein, Lebanon, Malaysia, Mexico, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Peru, the Republic of Korea, Singapore, South Africa, Sweden, Switzerland, the Syrian Arab Republic and Tajikistan to participate, without vote, in the discussion of the item entitled "Non-proliferation of weapons of mass destruction".

Upon resumption of the meeting, on 22 April 2004, the Council also decided to invite the representative of Thailand to participate, without vote, in the discussion of the item.

At its 4956th meeting, on 28 April 2004, the Council considered the item entitled "Non-proliferation of weapons of mass destruction".

Resolution 1540 (2004)
of 28 April 2004

The Security Council,

Affirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery,[366] constitutes a threat to international peace and security,

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[366] Definitions for the purpose of the present resolution only:

Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

Non-State actor: individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of the present resolution.

Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

Reaffirming, in this context, the statement by its President adopted at the Council's meeting at the level of heads of State and Government on 31 January 1992,[367] including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

Recalling that the statement underlined the need for all Member States to resolve peacefully, in accordance with the Charter of the United Nations, any problems in that context threatening or disrupting the maintenance of regional and global stability,

Affirming its resolve to take appropriate and effective action against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the Charter,

Affirming also its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to those treaties to implement them fully in order to promote international stability,

Welcoming efforts in this context by multilateral arrangements which contribute to non-proliferation,

Affirming that prevention of the proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation,

Gravely concerned by the threat of terrorism and the risk that non-State actors[366] such as those identified in the United Nations list established and maintained by the Committee established under Security Council resolution 1267 (1999) of 15 October 1999 and those to whom resolution 1373 (2001) of 28 September 2001 applies, may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery,

Gravely concerned also by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and related materials,[366] which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security,

Recognizing the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security,

Recognizing also that most States have undertaken binding legal obligations under treaties to which they are parties, or have made other commitments aimed at preventing the proliferation of nuclear, chemical or biological weapons, and have taken effective measures to account for, secure and physically protect sensitive materials, such as those required by the Convention on the Physical Protection of Nuclear Materials[368] and those recommended by the Code of Conduct on the Safety and Security of Radioactive Sources of the International Atomic Energy Agency,[369]

Recognizing further the urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery,

Encouraging all Member States to implement fully the disarmament treaties and agreements to which they are party,

Reaffirming the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

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[367] S/23500.

[368] United Nations, *Treaty Series*, vol. 1456, No. 24631.

[369] IAEA/CODEOC/2004.

Determined to facilitate henceforth an effective response to global threats in the area of non-proliferation,

Acting under Chapter VII of the Charter,

1. *Decides* that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

2. *Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

3. *Decides further* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, and to this end shall:

(*a*) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(*b*) Develop and maintain appropriate effective physical protection measures;

(*c*) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(*d*) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export, and controls on providing funds and services related to such export and trans-shipment, such as financing, and transporting, that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

4. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Council for its examination, on the implementation of the present resolution, and to this end calls upon States to present a first report to the Committee, no later than six months from the adoption of the present resolution, on steps they have taken or intend to take to implement the present resolution;

5. *Decides also* that none of the obligations set forth in the present resolution shall be interpreted so as to conflict with or alter the rights and obligations of State parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[370] the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[371] and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[372] or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

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[370] United Nations, *Treaty Series*, vol. 729, No. 10485.

[371] Ibid., vol. 1974, No. 33757.

[372] General Assembly resolution 2826 (XXVI), annex.

6. *Recognizes* the utility, in implementing the present resolution, of effective national control lists, and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

7. *Recognizes also* that some States may require assistance in implementing the provisions of the present resolution within their territories, and invites States in a position to do so to offer assistance as appropriate, in response to specific requests, to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

8. *Calls upon* all States:

(*a*) To promote the universal adoption and full implementation and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(*b*) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

(*c*) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

(*d*) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

9. *Also calls upon* all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by the proliferation of nuclear, chemical, or biological weapons and their means of delivery;

10. *Further calls upon* all States, as a means to further counter that threat, to take cooperative action, in accordance with their national legal authorities and legislation and consistent with international law, to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

11. *Expresses its intention* to monitor closely the implementation of the present resolution and, at the appropriate level, to take further decisions which may be required to this end;

12. *Decides* to remain seized of the matter.

Adopted unanimously at the 4956th meeting.

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER[373]

Decision

On 28 April 2004, the President of the Security Council addressed the following letter to the Secretary-General:[374]

"I have the honour to inform you that your letter dated 23 April 2004 concerning your intention to continue the activities of the United Nations Tajikistan Office of Peace-building for a further period of one year, until 1 June 2005,[375] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and of the intention expressed therein."

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[373] Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.

[374] S/2004/332.

BRIEFING BY THE CHAIRMAN-IN-OFFICE OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE[376]

Decisions

At its 4964th meeting, on 7 May 2004, the Security Council considered the item entitled "Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Solomon Passy, Minister for Foreign Affairs of Bulgaria and Chairman-in-Office of the Organization for Security and Cooperation in Europe.

UNITED NATIONS PEACEKEEPING OPERATIONS

Decisions

At its 4970th meeting, on 17 May 2004, the Security Council decided to invite the representatives of Argentina, Armenia, Australia, Bangladesh, Canada, Côte d'Ivoire, Egypt, Fiji, Guatemala, India, Indonesia, Ireland, Japan, Kazakhstan. Lebanon, Malaysia, Namibia, Nepal, New Zealand, Peru, the Republic of Korea, the Republic of Moldova, Serbia and Montenegro, South Africa, the Syrian Arab Republic, Tunisia and Ukraine to participate, without vote, in the discussion of the item entitled:

> "United Nations peacekeeping operations
>
> "Letter dated 10 May 2004 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (S/2004/378)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[377]

> "The Security Council recalls its primary responsibility for the maintenance of international peace and security and reaffirms its commitment to the purposes and principles enshrined in the Charter of the United Nations, in particular, of the political independence, sovereignty and territorial integrity of all States in conducting all peacekeeping and peace-

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[375] S/2004/331.

[376] Resolutions or decisions on this question were also adopted by the Security Council in 2001. As from the 4964th meeting, held on 7 May 2004, the wording of the item "Briefing by His Excellency Mr. Mircea Geoana, Minister for Foreign Affairs of Romania, Chairman-in-Office of the Organization for Security and Cooperation in Europe" was revised to read "Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe".

[377] S/PRST/2004/16.

building activities and the need for States to comply with their obligations under international law.

"The Council recognizes that, as experience confirms, United Nations peacekeeping operations play a critical role in the maintenance of international peace and security, preventing and containing conflicts, promoting compliance with international norms and Council decisions, and building peace in post-conflict situations.

"It further notes that United Nations peacekeeping missions are charged with increasingly difficult and complex mandates assigned to them by the Council and recognizes in this regard the need for a continued review of United Nations peacekeeping.

"The Council notes that, in addition to the existing fourteen United Nations peacekeeping operations, there has been a recent surge in demand for new peacekeeping operations. It is cognizant of the challenges this represents for the United Nations system in terms of generating the necessary resources, personnel and other capabilities to meet the increased demand.

"The Council calls upon Member States to ensure that the United Nations is provided with full political and financial support to meet these challenges effectively, keeping in view the specific requirements of each mission and bearing in mind the human and financial resource implications for the United Nations. The Council also stresses that it is also important to ensure that, while meeting the demand for new peacekeeping operations, the resources available for and the effective management of the existing operations are not adversely affected. At the same time it underscores the need for efficient and effective management of resources.

"The Council calls upon Member States to contribute sufficient levels of trained troops, police and civilian personnel, including those with specialized capabilities and skills, bearing in mind the need for an increased percentage of female personnel at all decision-making levels, as well as the mobilization of logistic and administrative support, to allow the multiple operations to start optimally and fulfil their respective mandates in an effective manner. Enhancing the Secretariat's capacities and using them in a rational and efficient manner will constitute a crucial element of this response.

"The Council also stresses the need for improved integrated mission planning, as well as enhanced capacity for rapid deployment of personnel and materiel to ensure efficient start-up of peacekeeping operations. The timely and adequate replenishment of strategic deployment stocks is essential to meet current and future demands.

"The Council recognizes the need to work, as appropriate, with regional and subregional organizations and multinational arrangements in peacekeeping operations in accordance with Chapter VIII of the Charter of the United Nations to ensure complementary capacities and approaches before and during the deployment and after the withdrawal of United Nations peacekeeping missions.

"The Council recognizes its responsibility to provide clear, realistic and achievable mandates for peacekeeping missions. The Council values, in this regard, the assessments and recommendations provided by the Secretariat for informed decisions on the scope and composition of new peacekeeping operations as well as their mandates, concept of operations and force levels and structures.

"The Council believes that there is need to strengthen the relationship between those who plan, mandate and manage peacekeeping operations, and those who implement the mandates for these operations. Troop-contributing countries, through their experience and expertise, can greatly contribute to the planning process and can assist the Council in taking appropriate, effective and timely decisions on peacekeeping operations. The Council recognizes, in this regard, that the meetings and mechanisms established by its resolution 1353 (2001) of 13 June 2001 serve to facilitate the consultations process.

"The Council recognizes that in peacekeeping operations there are contributors, other than troop-contributing countries, whose views should also be taken into account as appropriate.

"The Council stresses that, in challenging environments, United Nations peacekeepers may need to be provided with sufficiently robust rules of engagement and the necessary military resources to enable them to fulfil their mandate and, if necessary, to defend themselves. In all cases, the Council considers the safety and security of all United Nations personnel to be a priority. It stresses, in this context, the importance of enhanced capacity to gather and manage information in the field.

"The Council takes note of recent efforts to increase coordination between missions in adjacent countries and encourages Special Representatives of the Secretary-General to explore synergies to ensure effective management of peacekeeping missions in the same regions or subregions.

"The Council stresses the need to regularly assess the size, mandate and structure of peacekeeping operations with a view to making the necessary adjustments, including downsizing, where appropriate, according to progress achieved. It also encourages the continued commitment of the international community to consolidate and sustain the peace on the ground during and beyond the life of the mission.

"The Council further recognizes the importance of a gender perspective, including gender training for peacekeepers, in peacekeeping operations, in accordance with Council resolution 1325 (2000) of 31 October 2000 and the importance of protection of children in armed conflict in accordance with Council resolution 1379 (2001) of 20 November 2001.

"The Council recognizes the increased risk of the spread of communicable diseases and certain criminal activities in post-conflict areas. The Council welcomes efforts by the Secretariat to sensitize peacekeeping personnel in the prevention of HIV/AIDS and other communicable diseases in compliance with Council resolution 1308 (2000) of 17 July 2000, and encourages the Secretariat to continue implementing its guidelines on prostitution and trafficking.

"The Council recognizes that effective peacekeeping operations should be part of an overall strategy to consolidate and sustain peace. In this regard, it stresses the need to ensure from the outset the coordination, coherence and continuity between the different parts of this overall strategy, in particular between peacekeeping on the one hand and peace-building on the other. To this end, the Council encourages closer cooperation between all relevant United Nations agencies, funds and programmes and international financial institutions, regional and subregional organizations and the private sector. Ensuring lasting peace in the aftermath of conflict may require sustained support from the United Nations and its humanitarian and development partners.

"The Council notes that training is increasingly becoming a critical element in peacekeeping operations and recognizes the need to utilize the expertise of experienced troop-contributing countries. It encourages international cooperation and support for the establishment of peacekeeping training centres, which could provide a wide range of training opportunities to new and emerging troop contributors.

"The Council recognizes that meeting the demands of an increasing number of United Nations peacekeeping missions will require the concerted efforts of the Security Council, the General Assembly, the States Members of the United Nations and the Secretary-General so as to ensure that the necessary resources and operational support are provided. The Council encourages follow-up consultations on the surge in demand, and invites the Secretary-General to provide regularly, in a timely manner, to Member States, assessments of evolving needs and shortfalls in United Nations peacekeeping, in order to identify critical gaps and unmet requirements as well as steps required to meet these.

"The Council underscores the useful role of its Working Group on Peacekeeping Operations in the consultation process at different stages of peacekeeping operations. It encourages the Working Group to pay special attention to matters relating to the surge in demand in United Nations peacekeeping over the coming year and, as necessary, to report to the Council.

"The Council pays high tribute to all the men and women who have served and continue to serve in United Nations peacekeeping operations for their high level of professionalism, dedication and courage. It honours the memory of those who lost their lives in the service of the United Nations and the noble cause of peace."

BRIEFING BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES[378]

Decisions

At its 4973rd meeting, on 20 May 2004, the Security Council considered the item entitled "Briefing by the United Nations High Commissioner for Refugees".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ruud Lubbers, United Nations High Commissioner for Refugees.

COMPLEX CRISES AND UNITED NATIONS RESPONSE

Decisions

At its 4980th meeting, on 28 May 2004, the Security Council considered the item entitled:

"Complex crises and United Nations response

> "Letter dated 24 May 2004 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (S/2004/423)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Ms. Marjatta Rasi, President of the Economic and Social Council.

ROLE OF CIVIL SOCIETY IN POST-CONFLICT PEACE-BUILDING

Decisions

At its 4993rd meeting, on 22 June 2004, the Security Council decided to invite the representatives of Australia, Bangladesh, Canada, Egypt, Ireland, Japan, Nepal, Peru, the Republic of Korea, Senegal, Sierra Leone, South Africa and Uganda to participate, without vote, in the discussion of the item entitled:

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[378] Resolutions or decisions on this question were also adopted by the Security Council in 2002. As from the 4973rd meeting, held on 20 May 2004, the wording of the item "Briefing by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees" was revised to read "Briefing by the United Nations High Commissioner for Refugees".

"Role of civil society in post-conflict peace-building

"Letter dated 1 June 2004 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General (S/2004/442)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Marjatta Rasi, President of the Economic and Social Council, Mr. Denis Caillaux, Secretary-General of CARE International, and Mr. Ian Martin, Vice-President of the International Center for Transitional Justice.

COMMUNICATION CONCERNING THE APPOINTMENT OF THE SPECIAL ADVISER OF THE SECRETARY-GENERAL ON THE PREVENTION OF GENOCIDE

Decision

On 13 July 2004, the President of the Security Council addressed the following letter to the Secretary-General:[379]

"I have the honour to inform you that your letter dated 12 July 2004 concerning your decision to appoint Mr. Juan Méndez as your Special Adviser on the Prevention of Genocide[380] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL ORGANIZATIONS IN STABILIZATION PROCESSES

Decisions

At its 5007th meeting, on 20 July 2004, the Security Council decided to invite the representatives of Mexico and the Netherlands to participate, without vote, in the discussion of the item entitled:

"Cooperation between the United Nations and regional organizations in stabilization processes

"Letter dated 8 July 2004 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General (S/2004/546)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Commissioner for Peace, Security and Political Affairs of the African Union; Mr. Peter Feith, Deputy Director-General of European Security and Defence Policy of the European Union; Mr. Amre Moussa, Secretary-General of the League of Arab States; Mr. Alounkeo Kittikhoun, Chairperson of the Standing Committee of the Association of

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[379] S/2004/568.

[380] S/2004/567.

Southeast Asian Nations; Mr. Robert F. Simmons, Deputy Assistant Secretary-General for Political Affairs of the North Atlantic Treaty Organization; Mr. Dmitry Boulakhov, Deputy Executive Secretary of the Commonwealth of Independent States; Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference; Mr. Solomon Passy, Minister for Foreign Affairs of Bulgaria and Chairman-in-Office of the Organization for Security and Cooperation in Europe and Mr. Nana Effah-Apenteng, representative of the Chair of the Economic Community of West African States.

Upon resumption of the meeting, on 20 July 2004, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Aminu Bashir Wali, representative of the Chair of the African Union.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[381]

> "The Security Council met on 20 July 2004 to consider the item entitled 'Cooperation between the United Nations and regional organizations in stabilization processes'. Members recalled that Articles 52 and 53 of the Charter of the United Nations set forth the contribution of regional organizations to the settlement of disputes, as well as the relationship between the United Nations and regional organizations.
>
> "The Council recalls its invitation of January 1993 to regional organizations to improve coordination with the United Nations, the Declaration of the General Assembly of December 1994 on the enhancement of cooperation between the United Nations and regional arrangements or agencies, and its meeting on 'The Security Council and regional organizations: facing the new challenges to international peace and security', held on 11 April 2003 under the Mexican presidency of the Council.
>
> "On 20 July 2004, members expressed their views on the cooperation between the United Nations and regional organizations and acknowledged the important role that can be played by the latter in the prevention, resolution and management of conflicts, including by addressing their root causes.
>
> "The statements emphasized that the Council has primary responsibility for the maintenance of international peace and security and that effectively addressing the numerous conflict situations confronting the international community would require an increased level of cooperation with regional organizations, where appropriate.
>
> "Member States and heads of regional organizations participating in the meeting stressed their interest in enhancing cooperation between the United Nations and regional organizations in the maintenance of international peace and security. They also considered that regular dialogue on specific issues between the Council and regional organizations would bring significant added value in this respect.
>
> "It was stressed that common and coordinated efforts undertaken by the United Nations and regional organizations in stabilization processes should be based on complementarity and their comparative advantages, making full use of their experience, in accordance with the Charter and the relevant statutes of the regional organizations.
>
> "The statements reiterated the importance of a coherent approach to stabilization processes through improved cooperation and collaboration, including increased and timely exchange of information between United Nations and regional organizations, in accordance with the provisions of Article 54 of the Charter.

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[381] S/PRST/2004/27.

"The Council welcomes the ongoing practice of high-level meetings of the Secretary-General with regional organizations and the consensus reached over modalities of cooperation in conflict prevention and principles of cooperation in peace-building. It invites the Secretary-General to give consideration to the relevant views expressed in this debate in preparation of the next high-level meeting and to keep the Council informed as appropriate.

"The Council invites regional organizations to take necessary steps to increase collaboration with the United Nations in order to maximize efficiency in stabilization processes and also encourages enhanced cooperation and coordination among regional and subregional organizations themselves, in particular through the exchange of information and by sharing experience and best practices.

"The Council invites all Members of the United Nations to contribute to the strengthening of the capacity of regional and subregional organizations in all parts of the world, including through the provision of human, technical and financial assistance.

"The Council invites all Members of the United Nations, and other parts of the United Nations system with relevant experience and expertise, to contribute to this process."

Part II. Other matters considered by the Security Council

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994[382]

Decisions

At its 4806th meeting, held in private on 8 August 2003, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 4806th meeting, held in private on 8 August 2003, the Security Council considered the item entitled:
>
> > 'International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
> >
> > 'International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994'.
>
> "In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, the President extended an invitation under rule 39 of the Council's provisional rules of procedure to Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.
>
> "The members of the Council heard a statement by Prosecutor Del Ponte."

At its 4817th meeting, on 28 August 2003, the Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations

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[382] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

Resolution 1503 (2003)
of 28 August 2003

The Security Council,

Recalling its resolutions 827 (1993) of 25 May 1993, 955 (1994) of 8 November 1994, 978 (1995) of 27 February 1995, 1165 (1998) of 30 April 1998, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002 and 1481 (2003) of 19 May 2003,

Noting the letter dated 28 July 2003 from the Secretary-General to the President of the Security Council,[383]

Commending the important work of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda in contributing to lasting peace and security in the former Yugoslavia and Rwanda, and the progress made since their inception,

Noting that an essential prerequisite for achieving the objectives of the completion strategies of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda is full cooperation by all States, especially in apprehending all remaining at-large persons indicted by the Tribunals,

Welcoming steps taken by States in the Balkans and the Great Lakes region of Africa to improve cooperation and apprehend at-large persons indicted by the Tribunals, but noting with concern that certain States are still not offering full cooperation,

Urging Member States to consider imposing measures against individuals and groups or organizations assisting indictees at large to continue to evade justice, including measures designed to restrict the travel and freeze the assets of such individuals, groups, or organizations,

Recalling and reaffirming in the strongest terms the statement of 23 July 2002 made by the President of the Security Council,[384] endorsing the strategy of the International Tribunal for the Former Yugoslavia for completing investigations by the end of 2004, all trial activities at first instance by the end of 2008, and all of its work in 2010 (the International Tribunal for the Former Yugoslavia Completion Strategy),[385] by concentrating on the prosecution and trial of the most senior leaders suspected of being most responsible for crimes within the jurisdiction of the Tribunal and transferring cases involving those who may not bear this level of responsibility to competent national jurisdictions, as appropriate, as well as the strengthening of the capacity of such jurisdictions,

Urging the International Tribunal for Rwanda to formalize a detailed strategy, modelled on the International Tribunal for the Former Yugoslavia Completion Strategy, to transfer cases involving intermediate- and lower-rank accused to competent national jurisdictions, as appropriate, including Rwanda, in order to allow the International Tribunal for Rwanda to achieve its objective of completing investigations by the end of 2004, all trial activities at first instance by the end of 2008, and all of its work in 2010 (the International Tribunal for Rwanda Completion Strategy),

Noting that the above-mentioned completion strategies in no way alter the obligation of Rwanda and the countries of the former Yugoslavia to investigate those accused whose cases would not be tried by the International Tribunal for Rwanda or the International Tribunal for the

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[383] S/2003/766.

[384] S/PRST/2002/21.

[385] See S/2002/678.

Former Yugoslavia and take appropriate action with respect to indictment and prosecution, while bearing in mind the primacy of the Tribunals over national courts,

Noting also that the strengthening of national judicial systems is crucially important to the rule of law in general and to the implementation of the completion strategies of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda in particular,

Noting further that an essential prerequisite for achieving the objectives of the International Tribunal for the Former Yugoslavia Completion Strategy is the expeditious establishment under the auspices of the High Representative and early functioning of a special chamber within the State Court of Bosnia and Herzegovina (the "War Crimes Chamber") and the subsequent referral by the International Tribunal for the Former Yugoslavia of cases of lower- or intermediate-rank accused to the Chamber,

Convinced that the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda can most efficiently and expeditiously meet their respective responsibilities if each has its own Prosecutor,

Acting under Chapter VII of the Charter of the United Nations,

1. *Calls upon* the international community to assist national jurisdictions, as part of the completion strategies, in improving their capacity to prosecute cases transferred from the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda, and encourages the Presidents, Prosecutors, and Registrars of the Tribunals to develop and improve their outreach programmes;

2. *Calls upon* all States, especially Serbia and Montenegro, Croatia, and Bosnia and Herzegovina, and on the Republika Srpska within Bosnia and Herzegovina, to intensify cooperation with and render all necessary assistance to the International Tribunal for the Former Yugoslavia, particularly to bring Radovan Karadzic and Ratko Mladic, as well as Ante Gotovina and all other indictees to the Tribunal, and calls upon these and all other at-large indictees of the Tribunal to surrender to it;

3. *Calls upon* all States, especially Rwanda, Kenya, the Democratic Republic of the Congo, and the Republic of the Congo, to intensify cooperation with and render all necessary assistance to the International Tribunal for Rwanda, including on investigations of the Rwandan Patriotic Army and efforts to bring Felicien Kabuga and all other such indictees to the Tribunal, and calls upon these and all other at-large indictees of the Tribunal to surrender to it;

4. *Calls upon* all States to cooperate with the International Criminal Police Organization (ICPO-Interpol) in apprehending and transferring persons indicted by the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda;

5. *Calls upon* the donor community to support the work of the High Representative for Bosnia and Herzegovina in creating a special chamber, within the State Court of Bosnia and Herzegovina, to adjudicate allegations of serious violations of international humanitarian law;

6. *Requests* the Presidents of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda and their Prosecutors, in their annual reports to the Council, to explain their plans to implement the completion strategies of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda;

7. *Calls upon* the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008, and to complete all of its work in 2010 (the completion strategies);

8. *Decides* to amend article 15 of the statute of the International Tribunal for Rwanda and to replace that article with the provision set out in the annex to the present resolution, and requests the Secretary-General to nominate a person to be the Prosecutor of the International Tribunal for Rwanda;

9. *Welcomes* the intention expressed by the Secretary-General in his letter dated 28 July 2003,[383] to submit to the Security Council the name of Ms. Carla Del Ponte as nominee for Prosecutor of the International Tribunal for the Former Yugoslavia;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4817th meeting.

Annex

Article 15
The Prosecutor

1. The Prosecutor shall be responsible for the investigation and prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for such violations committed in the territory of neighbouring States between 1 January and 31 December 1994.

2. The Prosecutor shall act independently as a separate organ of the International Tribunal for Rwanda. He or she shall not seek or receive instructions from any government or from any other source.

3. The Office of the Prosecutor shall be composed of a Prosecutor and such other qualified staff as may be required.

4. The Prosecutor shall be appointed by the Security Council on nomination by the Secretary-General. He or she shall be of high moral character and possess the highest level of competence and experience in the conduct of investigations and prosecutions of criminal cases. The Prosecutor shall serve for a four-year term and be eligible for reappointment. The terms and conditions of service of the Prosecutor shall be those of an Under-Secretary-General of the United Nations.

5. The staff of the Office of the Prosecutor shall be appointed by the Secretary-General on the recommendation of the Prosecutor.

Decision

At its 4819th meeting, on 4 September 2003, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

Resolution 1504 (2003)
of 4 September 2003

The Security Council,

Recalling its resolution 1503 (2003) of 28 August 2003,

Noting that by that resolution the Council created a new position of Prosecutor of the International Tribunal for Rwanda,

Noting also that by its resolution 1503 (2003) the Council welcomed the intention of the Secretary-General to submit to the Council the name of Ms. Carla Del Ponte as nominee for Prosecutor of the International Tribunal for the Former Yugoslavia, *Having regard* to article 16, paragraph 4, of the statute of the International Tribunal for the Former Yugoslavia,

Having considered the nomination by the Secretary-General of Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Former Yugoslavia,

Appoints Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Former Yugoslavia with effect from 15 September 2003 for a four-year term.

Adopted unanimously at the 4819th meeting.

Resolution 1505 (2003)
of 4 September 2003

The Security Council,

Recalling its resolution 1503 (2003) of 28 August 2003,

Noting that by that resolution the Council created a new position of Prosecutor of the International Tribunal for Rwanda,

Having regard to article 15, paragraph 4, of the statute of the International Tribunal for Rwanda, as adopted by the Council in its resolution 1503 (2003),

Having considered the nomination by the Secretary-General of Mr. Hassan Bubacar Jallow as Prosecutor of the International Tribunal for Rwanda,

Appoints Mr. Hassan Bubacar Jallow as Prosecutor of the International Tribunal for Rwanda with effect from 15 September 2003 for a four-year term.

Adopted unanimously at the 4819th meeting.

Decisions

At its 4838th meeting, on 9 October 2003, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Rwanda and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Judge Theodor Meron, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Erik Møse, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Tribunal for Rwanda.

At its 4935th meeting, on 26 March 2004, the Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994".

Resolution 1534 (2004)
of 26 March 2004

The Security Council,

Recalling its resolutions 827 (1993) of 25 May 1993, 955 (1994) of 8 November 1994, 978 (1995) of 27 February 1995, 1165 (1998) of 30 April 1998, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002 and 1481 (2003) of 19 May 2003,

Recalling and reaffirming in the strongest terms the statement of 23 July 2002 made by the President of the Security Council[384] endorsing the International Tribunal for the Former Yugoslavia Completion Strategy,[385] and its resolution 1503 (2003) of 28 August 2003,

Recalling that resolution 1503 (2003) called upon the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008, and to complete all of its work in 2010 (the completion strategies), and requested the Presidents and Prosecutors of the Tribunals, in their annual reports to the Council, to explain their plans to implement the completion strategies,

Welcoming the presentations made by the Presidents and Prosecutors of the Tribunals to the Security Council on 9 October 2003,

Commending the important work of both Tribunals in contributing to lasting peace and security and national reconciliation and the progress made since their inception, commending them on their efforts so far to give effect to the completion strategies, and calling upon them to ensure effective and efficient use of their budgets, with accountability,

Reiterating its support for the Prosecutors of the Tribunals in their continuing efforts to bring at-large indictees before the Tribunals,

Noting with concern the problems highlighted in the presentations to the Security Council on 9 October 2003 in securing adequate regional cooperation,

Also noting with concern indications in the presentations made on 9 October that it might not be possible to implement the completion strategies set out in resolution 1503 (2003),

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the necessity of trial of persons indicted by the International Tribunal for the Former Yugoslavia, reiterates its call upon all States, especially Serbia and Montenegro, Croatia, and Bosnia and Herzegovina, and on the Republika Srpska within Bosnia and Herzegovina, to intensify cooperation with and render all necessary assistance to the Tribunal, particularly to bring Radovan Karadzic and Ratko Mladic, as well as Ante Gotovina and all other indictees, to the Tribunal, and calls upon all at-large indictees of the Tribunal to surrender to it;

2. *Reaffirms* the necessity of trial of persons indicted by the International Tribunal for Rwanda, reiterates its call upon all States, especially Rwanda, Kenya, the Democratic Republic of the Congo and the Republic of the Congo, to intensify cooperation with and render all necessary

assistance to the Tribunal, including on investigations of the Rwandan Patriotic Army and efforts to bring Felicien Kabuga and all other such indictees to the Tribunal, and calls upon all at-large indictees of the Tribunal to surrender to it;

3. *Emphasizes* the importance of fully implementing the completion strategies as set out in paragraph 7 of resolution 1503 (2003), which calls upon the Tribunals to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all of its work in 2010, and urges each Tribunal to plan and act accordingly;

4. *Calls upon* the Prosecutors of the Tribunals to review the case load of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda, respectively, in particular with a view to determining which cases should be proceeded with and which should be transferred to competent national jurisdictions, as well as the measures which will need to be taken to meet the completion strategies referred to in resolution 1503 (2003), and urges them to carry out this review as soon as possible and to include a progress report in the assessments to be provided to the Council under paragraph 6 of the present resolution;

5. *Calls upon* each Tribunal, in reviewing and confirming any new indictments, to ensure that any such indictments concentrate on the most senior leaders suspected of being most responsible for crimes within the jurisdiction of the relevant Tribunal, as set out in resolution 1503 (2003);

6. *Requests* each Tribunal to provide to the Council, by 31 May 2004 and every six months thereafter, assessments by its President and Prosecutor, setting out in detail the progress made towards the implementation of the Completion Strategy of the Tribunal, explaining what measures have been taken to implement the Completion Strategy and what measures remain to be taken, including the transfer of cases involving intermediate- and lower-rank accused to competent national jurisdictions; and expresses the intention of the Council to meet with the President and the Prosecutor of each Tribunal to discuss these assessments;

7. *Declares* the determination of the Council to review the situation, and, in the light of the assessments received under the foregoing paragraph, to ensure that the time frames set out in the Completion Strategies and endorsed in resolution 1503 (2003) can be met;

8. *Commends* those States which have concluded agreements for the enforcement of sentences of persons convicted by the International Tribunal for the Former Yugoslavia or the International Tribunal for Rwanda or have otherwise accepted such convicted persons to serve their sentences in their respective territories; encourages other States in a position to do so to act likewise; and invites the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda to continue and intensify their efforts to conclude further agreements for the enforcement of sentences or to obtain the cooperation of other States in this regard;

9. *Recalls* that the strengthening of competent national judicial systems is crucially important to the rule of law in general and to the implementation of the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda completion strategies in particular;

10. *Welcomes*, in particular, the efforts of the Office of the High Representative, the International Tribunal for the Former Yugoslavia and the donor community to create a war crimes chamber in Sarajevo; encourages all parties to continue efforts to establish the chamber expeditiously; and encourages the donor community to provide sufficient financial support to ensure the success of domestic prosecutions in Bosnia and Herzegovina and in the region;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4935th meeting.

Decisions

At its 4999th meeting, on 29 June 2004, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Rwanda and Serbia and Montenegro to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
>> "Letter dated 21 May 2004 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2004/420)
>>
>> "Letter dated 30 April 2004 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 addressed to the President of the Security Council (S/2004/341)."

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Judge Theodor Meron, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Erik Møse, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Tribunal for Rwanda.

WRAP-UP DISCUSSION ON THE WORK OF THE SECURITY COUNCIL[386]

Decision

At its 4818th meeting, on 28 August 2003, the Security Council considered the item entitled "Wrap-up discussion on the work of the Security Council for the current month".

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[386] Resolutions or decisions on this question were also adopted by the Security Council in 2001, 2002 and during the period from 1 January to 31 July 2003.

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991[387]

Decisions

On 29 August 2003, the President of the Security Council addressed the following letter to the Secretary-General:[388]

> "I have the honour to inform you that your letter dated 26 August 2003 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[389] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Mr. Jean-Claude Antonetti as a Judge of the Tribunal."

On 10 November 2003, the President of the Security Council addressed the following letter to the Secretary-General:[390]

> "I have the honour to inform you that your letter dated 3 November 2003 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[391] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Mr. Kevin Horace Parker as a permanent Judge of the Tribunal."

On 8 April 2004, the President of the Security Council addressed the following letter to the Secretary-General:[392]

> "I have the honour to inform you that your letter dated 5 April 2004 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[393] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Lord Bonomy as a permanent Judge of the Tribunal."

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 4831st meeting, on 19 September 2003, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly."

The decision of the Council was reflected in the following note by the President:[394]

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[387] Resolutions or decisions on this question were also adopted by the Security Council in 1996, from 1998 to 2002 and during the period from 1 January to 31 July 2003.

[388] S/2003/883.

[389] S/2003/882.

[390] S/2003/1088.

[391] S/2003/1087.

[392] S/2004/289.

[393] S/2004/288.

[394] S/2003/901.

"At its 4831st meeting, held on 19 September 2003, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2002 to 31 July 2003. The Council adopted the draft report without a vote."

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decisions

On 3 October 2003, the President of the Security Council issued the following note:[395]

"In the last paragraph of the statement by the President of the Security Council on 4 April 2003,[396] the Council invited the Counter-Terrorism Committee 'to continue reporting on its activities at regular intervals and express[ed] its intention to review the structure and activities of the Committee no later than 4 October 2003'.

"Following informal consultations among the members of the Council, it has been agreed that the review of the structure and activities of the Committee will now take place later in the course of the month. Mr. Inocencio Arias, of Spain, Chairman of the Committee, will report to the Council on the activities of the Committee on that occasion.

"In the meantime, all other arrangements set forth in the statement by the President will continue."

On 18 December 2003, the President of the Security Council issued the following note:[397]

"Following consultations among the members of the Security Council, it has been agreed that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa,[398] established on 1 March 2002 for a period of one year, will continue its work until 31 December 2004."

On 18 December 2003, the President of the Security Council issued the following note:[399]

"After consultations among the members of the Security Council, it has been agreed that the Working Group on Peacekeeping Operations, established pursuant to the statement made by the President of the Security Council at the 4270th meeting of the Council, held on 31 January 2001,[400] will continue its work until 31 December 2004."

On 18 December 2003, the President of the Security Council issued the following note:[401]

"After consultations among the members of the Security Council, it has been agreed that the mandate of the informal working group of the Security Council established pursuant to paragraph 3 of the note by the President of the Security Council dated 17 April 2000[402] shall be extended until 31 December 2004. The task of the working group is to develop general recommendations on how to improve the effectiveness of United Nations sanctions."

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[395] S/2003/935.

[396] S/PRST/2003/3.

[397] S/2003/1183.

[398] S/2002/207.

[399] S/2003/1184.

[400] S/PRST/2001/3.

[401] S/2003/1185.

[402] S/2000/319.

On 8 January 2004, the President of the Security Council issued the following note:[403]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[404] and after consultations among the members of the Council, it was agreed to elect the Chairmen and Vice-Chairmen of the following Sanctions Committees for the period ending 31 December 2004:

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Mr. Lauro L. Baja, Jr. (Philippines)
Vice-Chairmen: Algeria and Germany

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Mr. Abdallah Baali (Algeria)
Vice-Chairmen: Benin and Spain

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Mr. Ronaldo Mota Sardenberg (Brazil)
Vice-Chairmen: Algeria and Pakistan

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Chairman: Mr. Heraldo Muñoz (Chile)
Vice-Chairmen: Romania and Spain

Security Council Committee established pursuant to resolution 1518 (2003) concerning the situation between Iraq and Kuwait

Chairman: Mr. Mihnea Ioan Motoc (Romania)
Vice-Chairmen: Philippines and Pakistan

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chairman: Mr. Munir Akram (Pakistan)
Vice-Chairmen: Philippines and Angola

"2. The Bureau of each of the above-mentioned subsidiary bodies will be composed as above for the term ending on 31 December 2004."

On 8 January 2004, the President of the Security Council issued the following note:[405]

"*Informal Working Group on General Issues of Sanctions*

"1. After consultations among the members of the Security Council, it has been agreed that Mr. Joël W. Adechi, Permanent Representative of Benin to the United Nations, will serve as Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions for the period ending 31 December 2004. The Informal Working Group, established pursuant to the third paragraph of the note by the President of the Security Council dated 17 April 2000,[402] is tasked to develop general recommendations on how to improve the effectiveness of the United Nations sanctions.

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[403] S/2004/4.

[404] S/1998/1016.

[405] S/2004/5.

"*Working Group on Peacekeeping Operations*

"2. After consultations among the members of the Security Council, it has been agreed that Mr. Cristián Maquieira, Deputy Permanent Representative of Chile to the United Nations, will serve as Chairman of the Working Group on Peacekeeping Operations, established pursuant to the statement made by the President of the Security Council at the 4270th meeting of the Council, held on 31 January 2001,[400] for the period ending 31 December 2004.

"*Ad Hoc Working Group on Conflict Prevention and Resolution in Africa*

"3. After consultations among the members of the Security Council, it has been agreed that Mr. Ismael Abraão Gaspar Martins, Permanent Representative of Angola to the United Nations, will continue to serve as Chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, established pursuant to the note by the President of the Security Council dated 1 March 2002,[398] for the period ending 31 December 2004."

On 8 April 2004, the President of the Security Council issued the following note:[406]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[404] and following consultations among the members of the Council, the members of the Council agreed to elect the Chairman and Vice-Chairmen of the following Sanctions Committee for the period ending on 31 December 2004:

"*Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo*

Chairman:	Mr. Abdallah Baali (Algeria)
Vice-Chairmen:	Benin and the Philippines

"2. The Bureau of the above-mentioned Sanctions Committee will be composed as above for the term ending on 31 December 2004."

On 28 May 2004, the President of the Security Council issued the following note:[407]

"1. Following consultations among the members of the Security Council, the members of the Council agreed to elect the Chairman and Vice-Chairmen of the following Committee for a period ending on 31 December 2004:

"*Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism*

Chairman:	Mr. Alexander V. Konuzin[408] (Russian Federation)
Vice-Chairmen:	Mr. Abdallah Baali (Algeria) Mr. Ismael Abraão Gaspar Martins (Angola) Mr. Ronaldo Mota Sardenberg (Brazil)

"2. The Bureau of the Counter-Terrorism Committee will be composed as above for the term ending on 31 December 2004."

On 11 June 2004, the President of the Security Council issued the following note:[409]

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[406] S/2004/280.

[407] S/2004/436.

[408] Pending the arrival of the new Permanent Representative of the Russian Federation to the United Nations.

[409] S/2004/472.

"Pursuant to paragraph 4 of Security Council resolution 1540 (2004) of 28 April 2004, and following consultations among the members of the Council, the members of the Council agreed to elect the Chairman and Vice-Chairman of the following committee:

"*Security Council Committee established pursuant to resolution 1540 (2004) concerning the non-proliferation of weapons of mass destruction*

Chairman:	Mr. Mihnea Ioan Motoc (Romania)
Vice-Chairman:	Mr. Lauro L. Baja, Jr. (Philippines)

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994[410]

Decision

At its 4849th meeting, on 27 October 2003, the Security Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

"Letter dated 12 September 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/879)

"Letter dated 3 October 2003 from the Secretary-General addressed to the President of the Security Council (S/2003/946)".

Resolution 1512 (2003)
of 27 October 2003

The Security Council,

Reaffirming its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002 and 1503 (2003) of 28 August 2003,

Having considered the letter dated 12 September 2003 from the Secretary-General addressed to the President of the Security Council[411] and the letter annexed thereto dated 8 September 2003 from the President of the International Tribunal for Rwanda addressed to the Secretary-General,

Having considered also the letter from the Secretary-General dated 3 October 2003 addressed to the President of the Security Council[412] and the letter annexed thereto dated

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[410] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[411] S/2003/879.

[412] S/2003/946.

29 September 2003 from the President of the International Tribunal for Rwanda addressed to the Secretary-General,

Convinced of the advisability of enhancing the powers of ad litem judges in the International Tribunal for Rwanda so that, during the period of their appointment to a trial, they might also adjudicate in pre-trial proceedings in other cases, should the need arise and should they be in a position to do so,

Convinced also of the advisability of increasing the number of ad litem judges that may be appointed at any one time to serve in the Trial Chambers of the International Tribunal for Rwanda, so that the Tribunal might be better placed to complete all trial activities at first instance by the end of 2008, as envisaged in its Completion Strategy,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to amend articles 11 and 12 quater of the statute of the International Tribunal for Rwanda and to replace those articles with the provisions set out in the annex to the present resolution;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4849th meeting.

Annex

Article 11
Composition of the Chambers

1. The Chambers shall be composed of sixteen permanent independent judges, no two of whom may be nationals of the same State, and a maximum at any one time of nine ad litem independent judges appointed in accordance with article 12 ter, paragraph 2, of the present statute, no two of whom may be nationals of the same State.

2. Three permanent judges and a maximum at any one time of six ad litem judges shall be members of each Trial Chamber. Each Trial Chamber to which ad litem judges are assigned may be divided into sections of three judges each, composed of both permanent and ad litem judges. A section of a Trial Chamber shall have the same powers and responsibilities as a Trial Chamber under the present statute and shall render judgement in accordance with the same rules.

3. Seven of the permanent judges shall be members of the Appeals Chamber. The Appeals Chamber shall, for each appeal, be composed of five of its members.

4. A person who for the purposes of membership of the Chambers of the International Tribunal for Rwanda could be regarded as a national of more than one State shall be deemed to be a national of the State in which that person ordinarily exercises civil and political rights.

Article 12 quater
Status of ad litem judges

1. During the period in which they are appointed to serve in the International Tribunal for Rwanda, ad litem judges shall:

(*a*) Benefit from the same terms and conditions of service mutatis mutandis as the permanent judges of the International Tribunal for Rwanda;

(*b*) Enjoy, subject to paragraph 2 below, the same powers as the permanent judges of the International Tribunal for Rwanda;

(*c*) Enjoy the privileges and immunities, exemptions and facilities of a judge of the International Tribunal for Rwanda;

(*d*) Enjoy the power to adjudicate in pre-trial proceedings in cases other than those that they have been appointed to try.

2. During the period in which they are appointed to serve in the International Tribunal for Rwanda, ad litem judges shall not:

(*a*) Be eligible for election as, or to vote in the election of, the President of the International Tribunal for Rwanda or the Presiding Judge of a Trial Chamber pursuant to article 13 of the present statute;

(*b*) Have power:

(i) To adopt rules of procedure and evidence pursuant to article 14 of the present statute. They shall, however, be consulted before the adoption of those rules;

(ii) To review an indictment pursuant to article 18 of the present statute;

(iii) To consult with the President of the International Tribunal for Rwanda in relation to the assignment of judges pursuant to article 13 of the present statute or in relation to a pardon or commutation of sentence pursuant to article 27 of the present statute.

Decisions

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[413]

> "The Security Council notes the invitation of the General Assembly contained in paragraph 7 of its resolution 57/289 of 20 December 2002 that it address uncertainties regarding the power of the International Tribunal for Rwanda under its statute to finance the upgrading of prison accommodation in which persons convicted by the Tribunal are to serve their sentences.
>
> "The Council confirms that it is within the lawful powers of the International Tribunal for Rwanda under its statute to fund the renovation and refurbishment of prison facilities in States that have concluded agreements with the United Nations for the carrying out of prison sentences of the Tribunal. Such funds shall be used to bring up to international minimum standards the prison accommodation to be occupied or used pursuant to those agreements.
>
> "The Council will remain seized of this matter."

On 7 April 2004, the President of the Security Council addressed the following letter to the Secretary-General:[414]

> "I have the honour to inform you that your letter dated 2 April 2004 concerning the composition of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[415] has been brought to the attention of the members of the Security Council. Having consulted the members of the Council, I support your intention to appoint Sir Charles Michael Dennis Byron as a permanent Judge of the Tribunal."

On 27 July 2004, the President of the Security Council addressed the following letter to the Secretary-General:[416]

> "I have the honour to inform you that your letter dated 23 July 2004 concerning the composition of the International Criminal Tribunal for the Prosecution of Persons

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[413] S/PRST/2003/18.

[414] S/2004/292.

[415] S/2004/291.

[416] S/2004/620.

Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[417] has been brought to the attention of the members of the Security Council. Having consulted the members of the Council, I support your intention to appoint Judge J. Asoka de Silva as a permanent Judge of the Tribunal."

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[417] S/2004/619.

Items included in the agenda of the Security Council from 1 August 2003 to 31 July 2004 for the first time

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 August 2003 to 31 July 2004 will be found in the *Official Records of the Security Council*, 4803rd to 5015th meetings.

The following chronological list shows the meeting at which the Council decided, during that period, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
Meeting of the Security Council with the potential troop- and civilian police-contributing countries to the proposed United Nations peacekeeping operation in Liberia pursuant to resolution 1353 (2001), annex II, sections A and B	4825th	15 September 2003
Justice and the rule of law: the United Nations role	4833rd	24 September 2003
Letter dated 5 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council Letter dated 5 October 2003 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council	4836th	5 October 2003
Letter dated 2 October 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council	4839th	10 October 2003
Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Côte d'Ivoire pursuant to resolution 1353 (2001), annex II, sections A and B	4854th	7 November 2003
The importance of mine action for peacekeeping operations	4858th	13 November 2003
Central African region	4871st	24 November 2003
Briefings by Chairmen of Security Council committees and working groups	4888th	22 December 2003
Post-conflict national reconciliation: role of the United Nations	4903rd	26 January 2004
Cross-border issues in West Africa	4933rd	25 March 2004
The role of business in conflict prevention, peacekeeping and post-conflict peace-building	4943rd	15 April 2004
Decision of the Libyan Arab Jamahiriya to abandon its weapons of mass destruction programmes	4949th	22 April 2004
Non-proliferation of weapons of mass destruction	4950th	22 April 2004
United Nations peacekeeping operations	4970th	17 May 2004

Item	*Meeting*	*Date*
Letter dated 25 May 2004 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council	4978th	25 May 2004
Complex crises and United Nations response	4980th	28 May 2004
Report of the Secretary-General on the Sudan	4988th	11 June 2004
Role of civil society in post-conflict peace-building	4993rd	22 June 2004
Cooperation between the United Nations and regional organizations in stabilization processes	5007th	20 July 2004

Checklist of resolutions adopted by the Security Council from 1 August 2003 to 31 July 2004

Resolution number	*Date of adoption*	*Subject*	*Page*
1497 (2003)	1 August 2003	The situation in Liberia	1
1498 (2003)	4 August 2003	The situation in Côte d'Ivoire	21
1499 (2003)	13 August 2003	The situation concerning the Democratic Republic of the Congo	38
1500 (2003)	14 August 2003	The situation between Iraq and Kuwait	50
1501 (2003)	26 August 2003	The situation concerning the Democratic Republic of the Congo	39
1502 (2003)	26 August 2003	Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones	104
1503 (2003)	28 August 2003	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	226
1504 (2003)	4 September 2003	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	228
1505 (2003)	4 September 2003	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	229
1506 (2003)	12 September 2003	Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America	106
1507 (2003)	12 September 2003	The situation between Eritrea and Ethiopia	113
1508 (2003)	19 September 2003	The situation in Sierra Leone	118
1509 (2003)	19 September 2003	The situation in Liberia	5
1510 (2003)	13 October 2003	The situation in Afghanistan	138
1511 (2003)	16 October 2003	The situation between Iraq and Kuwait	51

Resolution number	*Date of adoption*	*Subject*	*Page*
1512 (2003)	27 October 2003	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	237
1513 (2003)	28 October 2003	The situation concerning Western Sahara	36
1514 (2003)	13 November 2003	The situation in Côte d'Ivoire	22
1515 (2003)	19 November 2003	The situation in the Middle East, including the Palestinian question	81
1516 (2003)	20 November 2003	Threats to international peace and security caused by terrorist acts	93
1517 (2003)	24 November 2003	The situation in Cyprus	174
1518 (2003)	24 November 2003	The situation between Iraq and Kuwait	55
1519 (2003)	16 December 2003	The situation in Somalia	158
1520 (2003)	22 December 2003	The situation in the Middle East	86
1521 (2003)	22 December 2003	The situation in Liberia	10
1522 (2004)	15 January 2004	The situation concerning the Democratic Republic of the Congo	41
1523 (2004)	30 January 2004	The situation concerning Western Sahara	36
1524 (2004)	30 January 2004	The situation in Georgia	196
1525 (2004)	30 January 2004	The situation in the Middle East	87
1526 (2004)	30 January 2004	Threats to international peace and security caused by terrorist acts	94
1527 (2004)	4 February 2004	The situation in Côte d'Ivoire	25
1528 (2004)	27 February 2004	The situation in Côte d'Ivoire	27
1529 (2004)	29 February 2004	The question concerning Haiti	204
1530 (2004)	11 March 2004	Threats to international peace and security caused by terrorist acts	98
1531 (2004)	12 March 2004	The situation between Eritrea and Ethiopia	115
1532 (2004)	12 March 2004	The situation in Liberia	15
1533 (2004)	12 March 2004	The situation concerning the Democratic Republic of the Congo	42
1534 (2004)	26 March 2004	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	230
1535 (2004)	26 March 2004	Threats to international peace and security caused by terrorist acts	99
1536 (2004)	26 March 2004	The situation in Afghanistan	140
1537 (2004)	30 March 2004	The situation in Sierra Leone	120
1538 (2004)	21 April 2004	The situation between Iraq and Kuwait	58
1539 (2004)	22 April 2004	Children and armed conflict	190
1540 (2004)	28 April 2004	Non-proliferation of weapons of mass destruction	214

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1541 (2004)	29 April 2004	The situation concerning Western Sahara	37
1542 (2004)	30 April 2004	The question concerning Haiti	206
1543 (2004)	14 May 2004	The situation in Timor-Leste	154
1544 (2004)	19 May 2004	The situation in the Middle East, including the Palestinian question	84
1545 (2004)	21 May 2004	The situation in Burundi	127
1546 (2004)	8 June 2004	The situation between Iraq and Kuwait	60
1547 (2004)	11 June 2004	Report of the Secretary-General on the Sudan	148
1548 (2004)	11 June 2004	The situation in Cyprus	176
1549 (2004)	17 June 2004	The situation in Liberia	19
1550 (2004)	29 June 2004	The situation in the Middle East	89
1551 (2004)	9 July 2004	The situation in Bosnia and Herzegovina	75
1552 (2004)	27 July 2004	The situation concerning the Democratic Republic of the Congo	48
1553 (2004)	29 July 2004	The situation in the Middle East	90
1554 (2004)	29 July 2004	The situation in Georgia	199
1555 (2004)	29 July 2004	The situation concerning the Democratic Republic of the Congo	49
1556 (2004)	30 July 2004	Report of the Secretary-General on the Sudan	150

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20 August 2003	Threats to international peace and security caused by terrorist acts (S/PRST/2003/13)	92
27 August 2003	The situation in Liberia (S/PRST/2003/14)	3
24 September 2003	Justice and the rule of law: the United Nations role (S/PRST/2003/15)	132
10 October 2003	Letter dated 2 October 2003 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council (S/PRST/2003/16)	145
16 October 2003	Threats to international peace and security caused by terrorist acts (S/PRST/2003/17)	92
27 October 2003	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (S/PRST/2003/18)	239
11 November 2003	The situation in Somalia (S/PRST/2003/19)	157
13 November 2003	The situation in Côte d'Ivoire (S/PRST/2003/20)	23
19 November 2003	The situation concerning the Democratic Republic of the Congo (S/PRST/2003/21)	40
19 November 2003	The importance of mine action for peacekeeping operations (S/PRST/2003/22)	172
20 November 2003	The situation in the Great Lakes region (S/PRST/2003/23)	169
20 November 2003	The situation between Iraq and Kuwait (S/PRST/2003/24)	54
4 December 2003	The situation in Côte d'Ivoire (S/PRST/2003/25)	24
12 December 2003	Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999) (S/PRST/2003/26)	69
15 December 2003	Protection of civilians in armed conflict (S/PRST/2003/27)	178
18 December 2003	The situation between Iraq and Kuwait (S/PRST/2003/28)	56
22 December 2003	The situation in the Middle East (S/PRST/2003/29)	86
22 December 2003	The situation in Burundi (S/PRST/2003/30)	123
19 January 2004	Small arms (S/PRST/2004/1)	188
26 January 2004	Post-conflict national reconciliation: role of the United Nations (S/PRST/2004/2)	194
25 February 2004	The situation in Somalia (S/PRST/2004/3)	160
26 February 2004	The question concerning Haiti (S/PRST/2004/4)	203
18 March 2004	Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999) (S/PRST/2004/5)	70
24 March 2004	The situation between Iraq and Kuwait (S/PRST/2004/6)	58
25 March 2004	Cross-border issues in West Africa (S/PRST/2004/7)	210
30 March 2004	Threats to international peace and security caused by terrorist acts (S/PRST/2004/8)	101
6 April 2004	The situation in Afghanistan (S/PRST/2004/9)	142
22 April 2004	Decision of the Libyan Arab Jamahiriya to abandon its weapons of mass destruction programmes (S/PRST/2004/10)	213

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